

# Reports of the Corporate Governance Committee Meeting held at 5.30pm on Tuesday, 29 May 2012.

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## **APOLOGIES**

## **ACKNOWLEDGEMENT OF LAND**

## **DECLARATIONS OF INTEREST**

### **Pecuniary Interests**

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

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

<b>ITEM</b>	<b>TITLE</b>	<b>PAGE</b>
<b>1.</b>	<b>COMMUNICATIONS AND MARKETING</b>	<b>4</b>
1.1	Minutes of the Riverfest Sub Committee Meeting held on 7 May 2012	4
1.2	Minutes of the Festival of Fisher's Ghost Sub Committee Meeting held on 9 May 2012	15
<b>2.</b>	<b>GOVERNANCE AND ADMINISTRATION</b>	<b>24</b>
2.1	Local Government Association of NSW - Request for Assistance with Legal Costs	24
2.2	Local Government Association of NSW	28
2.3	Revised Policy - Recording of General Business Items at Council Committee Meetings	35
<b>3.</b>	<b>PROPERTY SERVICES</b>	<b>39</b>
3.1	Release of Restriction on the use of Land - Glenfield Road Release Area	39
<b>4.</b>	<b>FINANCIAL SERVICES</b>	<b>41</b>
4.1	Investment Report - April 2012	41
4.2	Sundry Debtors Report - April 2012	45
4.3	Monthly Rates Summary	50
4.4	Quarterly Budget Review Statement as at 31 March 2012	55
4.5	Local Government Remuneration Tribunal	59
4.6	Reset of Loan Borrowings from 2007-2008 Loan Borrowing Program	61
<b>5.</b>	<b>BUSINESS ASSURANCE</b>	<b>63</b>
5.1	Insurance Renewal 2012-2013	63
5.2	Joint Select Committee on the NSW Workers Compensation Scheme	66
<b>6.</b>	<b>HUMAN RESOURCES</b>	<b>68</b>

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<b>ITEM</b>	<b>TITLE</b>	<b>PAGE</b>
	<b>No reports this round</b>	<b>68</b>
<b>7.</b>	<b>INFORMATION MANAGEMENT AND TECHNOLOGY</b>	<b>68</b>
	<b>No reports this round</b>	<b>68</b>
<b>8.</b>	<b>GENERAL BUSINESS</b>	<b>68</b>
<b>8.1</b>	<b>Container Deposit Scheme</b>	<b>68</b>
<b>21.</b>	<b>CONFIDENTIAL ITEMS</b>	<b>69</b>
<b>21.1</b>	<b>Hollylea Road Development Potential Council Land</b>	<b>69</b>
<b>21.2</b>	<b>Farrow Road, Campbelltown</b>	<b>69</b>

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**Minutes of the Corporate Governance Committee held on 29 May 2012**

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**Present**

His Worship the Mayor, Councillor A Chanthivong  
Councillor G Greiss (Chairperson)  
Councillor F Borg  
Councillor S Dobson  
Councillor P Hawker  
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 – Mrs M McIlvenny  
Manager Communications and Marketing - Mrs B Naylor  
Manager Emergency Management - Mr J Dodd  
Manager Executive Services - Mr N Smolonogov  
Acting Manager Human Resources - Ms N Minns  
Manager Information Management and Technology - Mr S McIlhatton  
Manager Property Services - Mr J Milicic  
Finance and Tax Accountant – Mrs C Gavin  
Senior Waste Management Officer - Lucas Atkinson  
Executive Assistant - Ms B Buckley

**Apology (Borg/Lake)**

That the apology from Councillors Rule and Matheson be received and accepted.

**CARRIED**

**Acknowledgement of Land**

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

**DECLARATIONS OF INTEREST**

Declarations of Interest were made in respect of the following items:

**Pecuniary Interests**

Nil

**Non Pecuniary – Significant Interests**

Councillor Hawker - Item 2.1 - Local Government Association of NSW - Request for Assistance with Legal Costs - Councillor Hawker advised that he is an Executive member of the Local Government Association of NSW and that he will leave the room and not take part in debate nor vote on the matter.

**Non Pecuniary – Less than Significant Interests**

Nil

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## **1. COMMUNICATIONS AND MARKETING**

### **1.1 Minutes of the Riverfest Sub Committee Meeting held on 7 May 2012**

#### **Reporting Officer**

Manager Communications & Marketing

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#### **Attachments**

Minutes of the Riverfest Sub Committee Meeting held on 7 May 2012

#### **Purpose**

To seek Council's endorsement of the Minutes of the Riverfest Sub Committee meeting held on 7 May 2012.

#### **Report**

Detailed below are the recommendations of the Riverfest Sub Committee. Council officers have reviewed the recommendations and they are now presented for Council's consideration. There are no recommendations that require an individual resolution of Council.

#### **Recommendations of the Riverfest Sub Committee**

##### **Reports listed for consideration**

###### **7.1 Riverfest Discovery Trail**

That the information be noted.

###### **7.2 Entertainment**

That the information be noted.

###### **7.3 Kite Competition**

That the information be noted.

###### **7.4 Program and Design**

That the information be noted.

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### **7.5 Sponsorship**

That the information be noted.

### **7.6 Workshops**

That the information be noted.

### **81 Sustainability and Catchment**

That the information be noted.

### **8.2 Refugee Welcome Zone**

That the information be noted.

### **Officer's Recommendation**

That the Minutes be noted.

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

That the Officer's Recommendation be adopted.

**CARRIED**

### **Council Meeting 5 June 2012 (Greiss/Rule)**

That the Officer's Recommendation be adopted.

### **Council Resolution Minute Number 95**

That the Officer's Recommendation be adopted.

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## **ATTACHMENT 1**

### **Minutes of the Riverfest Sub Committee**

**Held 7 May 2012 in Committee Room 3**

Meeting Commenced: 5.06pm

#### **1. Acknowledgement of Land**

An Acknowledgement of Land was presented by the Chairperson Councillor Julie Bourke.

#### **2. Attendance and Apologies**

**Attendance:** Councillor Julie Bourke (Chairperson)  
Tao Triebels  
Beth Michie  
Erin Hoffman  
Sana Al-Ahmar

**Also in Attendance:** Manager Communications and Marketing - Bernice Naylor  
Events and Promotions Officer - Mel Turner  
Waste Education Officer - Lauren Williams  
Community Project Officer - Deborah Ferry  
Coordinator Community Development Team - Angela Lonergan  
Executive Support - Kristy Peters

**Apologies:** Rob Michie  
Events and Promotions Coordinator - Amanda King

#### **Sub Committee's Recommendation: (Michie/Triebels)**

That the above apologies be accepted.

#### **CARRIED**

#### **3. Declarations of Interest**

There were no Declarations of Interest made at this meeting.

#### **4. Minutes of the Previous Meeting**

The minutes of the Sub Committee meeting held 10 October 2011 copies of which have been circulated to each Sub Committee member were adopted by Council at its meeting 13 December 2011.

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

That the information be noted.

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**Sub Committee's Recommendation: (Al-Ahmar/Triebels)**

That the information be noted.

**CARRIED**

**5. Business Arising from Previous Minutes**

Nil

**6. Correspondence**

Nil

**7. Reports**

**7.1 Riverfest Discovery Trail**

**Purpose**

To provide the sub committee with an update on the Discovery Trail.

**Report**

To ensure that a greater number of organisations can receive the benefits of being involved in the Discovery Trail, it is proposed that the number of questions included on the passport will be unlimited. To successfully complete the trail, an entry must have a minimum of eight activities completed correctly.

As a gift to encourage participation, entrants will be given an environmentally friendly printed bag with the Riverfest logo, an environmentally friendly pen, and a gift of seed sticks (dependant on sponsorship).

Due to the cost of this gift we are seeking specific sponsorship from a suitable organisation to fund this. In return, we will be offering logo positioning on the bag and seed sticks (dependant on their inclusion).

**Sub Committee's Recommendation: (Michie/Triebels)**

That the information be noted.

**CARRIED**

**7.2 Entertainment**

**Purpose**

To provide the sub committee with an update on entertainment for Riverfest 2012.

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## **Report**

For 2012 ABC for Kids television show character, Dirtgirl has been booked as a key entertainment drawcard.

Dirtgirl is the character in the television show Dirtgirlworld, which is a celebration of a life outside, taking children to a world where the real and unreal collide.

Due to the popularity of this show, Dirtgirl will be doing two performances on the Riverfest stage. As Riverfest has a transient audience, with most attendees not remaining at the event for the full four hour duration, it will allow two different audience groups to view the performance. It will also provide value for money as the performance fee includes two 30 minute performances. The performances would be scheduled at approximately 11.15am and 1.30pm.

We are in negotiations with local community groups for the remaining spaces in the entertainment program.

We are currently working on opportunities including:

- performance by local Aboriginal dancers
- performance by two local Indonesian community groups
- performance showcasing the local Dinka (Sudanese) community, a fast growing group within our community
- performance from local indian group – Bollywood style dancing or similar
- Polynesian performance group

## **Officer's Recommendation**

That the information be noted.

## **Sub Committee's Recommendation: (Al-Ahmar/Treibels)**

That the information be noted.

## **CARRIED**

### **7.3 Kite Competition**

#### **Purpose**

To provide the sub committee with details of a proposed kite competition.

#### **Report**

In 2012, we are looking to engage the community prior to the festival with a kite making competition.

A kit, including basic materials would be provided for children to make a kite, either individually or as a group. The kites would be submitted to Council's Events and Promotions team and displayed at the event. The kites could reflect their culture, the environment or both.

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Guidelines on materials to be used would be provided with the kit and would encourage entries to use wire coathangers as the “spine” of the kite and plastic bags as decoration. Other materials could be used to decorate the kite, however it would be encouraged that only recycled materials or materials that would otherwise end up as landfill (no recyclables) be used.

This activity would be promoted to community groups, playgroups, preschool, and language schools within our community and multicultural groups.

The aim of the activity is to increase pre-promotion of the festival and engage interest in activities that represent the aims of Riverfest.

The kites would be displayed throughout the event to tie in with the program theme of using world flags as bunting. The Mayor of Campbelltown and event chair would judge the kites and a prize would be awarded.

Dates of this promotion are still to be finalised.

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

That the information be noted.

#### **Sub Committee's Recommendation: (Michie/Hoffman)**

That the information be noted.

#### **CARRIED**

### **7.4 Program and Design**

#### **Purpose**

To provide the sub committee with an update on the design for the 2012 program.

#### **Report**

In response to concerns raised previously about the lack of multicultural representation in the event program and design, staff have reviewed the look and layout of the Riverfest marketing material.

In 2012, the idea is to utilise world flags across the program representing our multicultural community in the Campbelltown LGA.

Using information from the last census, we have identified the following cultures are the largest within the community. We propose that these flags are used on the program.

- Australian
  - United Kingdom
  - New Zealand
  - Philippines
  - Fiji
-

- India
- Samoa
- Bangladesh
- Lebanon
- South Africa
- Chile.

The environmental/sustainability theme of the event will be represented with a cross section design using grass, dirt and a character worm weaving his way through the dirt as well as an environmental stamp, as seen on the 2011 program.

The image attached shows a mock up of this idea, it is not the final artwork, but a representation of what the program cover may look like.

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

That the information be noted.

#### **Sub Committee's Recommendation: (Hoffman/Michie)**

That the information be noted.

#### **CARRIED**

### **7.5 Sponsorship**

#### **Purpose**

To provide the sub committee with an update on the commencement of sponsorship approaches.

#### **Report**

The sponsorship prospectus has been reviewed to make it more appealing to potential sponsors.

The sponsorship categories have been renamed to tie in with the aims of Riverfest 2012 and this year, sees the inclusion of specific sponsorship for the Discovery Trail.

The following organisations will be approached to provide sponsorship for Riverfest 2012:

- Australian Association for Environmental Education, NSW Chapter
  - Biome Eco Stores
  - Bokashi Composting Australia
  - Bunnings Warehouse
  - CCC Waste and Recycling
  - Corroseal Bridge and Machine
  - Eco Chick
  - Eco Logical Australia
-

- Ettitude
- Flower Power
- Heffalump Dezin
- ibuTrade
- Integral Energy
- Interface FLOR
- Keep Australia Beautiful NSW
- Masters Home Improvement
- MDSI
- Minimal Impact
- Mowbray Park Farm
- Organics Australia Online
- Origin Energy
- OzGreen
- Pine End B&B
- Reln Plastics
- Solahart Australia
- Solar Energy Australia
- Sundala Health
- The Eco Mall
- ThinkEco Packaging
- Tim's Garden Centre
- Tumbleweed
- Two Hands Project
- Zane Solar Pool Heating

**Officer's Recommendation**

1. That the information be noted.
2. That the committee make suggestions of other organisations or contacts to be approached for sponsorship.

**Sub Committee Note:** Sub Committee members were asked to provide any sponsorship suggestions to Communications and Marketing.

**Sub Committee's Recommendation: (Al-Ahmar/Triebels)**

That the information be noted.

**CARRIED**

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## 7.6 Workshops

### Purpose

To provide the sub committee with an update on the workshop program.

### Report

Workshops for 2012 are currently being finalised. The workshop program will include a number of new workshop ideas to keep the communication of environmental and multicultural education fresh and interactive.

The following workshops have been confirmed:

Workshop – Draft Title	Draft Description
Make your own African jewellery and grass skirt	Use different beads and shells to create different African necklaces or beads. Also learn how to make your own grass skirt.
Recyc-Olympics	Participate in this relay-based recycling game, where participants are given common household items and are encouraged to sort them into the three mini bins (recycling, garden organics and general waste). All participants will receive a prize, as well as an opportunity to enter the major draw to win a major prize.
Cooking around the world	Reduce your food miles - learn from a local chef how to use ingredients from your garden to inspire you to create authentic multicultural dishes.
Composting and worm farm	Interactive demonstration on worm farming and composting.
Herbs/vegetable planting seedling	A fun interactive workshop for kids. Using recycled gumboots, children will have an opportunity to decorate a gumboot and then fill it with soil and seedlings. They will then be able to take this home and nurture their seedlings and watch them grow.
Dirtgirl meet and greet opportunity	An opportunity to get up close and personal with ABC for kids character Dirt girl following her stage performances.
Backyard bugs	An interactive show that focuses on the world of mini beasts. Three groups of bugs are investigated (myriapods, insects and arachnids). Children will have an opportunity to hold and touch many different bugs, while exploring their defining features and amazing abilities.

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African mask making	Children can create, decorate and make their own African ceremonial mask.
Craft making activity	Using recycled materials, kids can make a take home piece of craft. Using egg cartons, they will be able to make a grasspillar – an egg carton caterpillar filled with dirt and grass seedlings that they can take home and watch grow.

The following workshops are still awaiting confirmation:

<b>Workshop – Draft Title</b>	<b>Draft Description</b>
Yoga or tai chi demonstration	A yoga or tai chi demonstration of some key poses and moves from a local community group or teacher.
Flax weaving workshop	An interactive workshop from the local Pacific community on flax weaving.
Henna tattooing	A workshop space demonstrating the art of Henna tattooing and providing attendees the chance of having a small henna tattoo done.

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

That the information be noted.

**Sub Committee Note:** Sub Committee members were asked to provide any workshop suggestions to Communications and Marketing.

#### **Sub Committee's Recommendation: (Hoffman/Triebels)**

That the information be noted.

#### **CARRIED**

### **8. General Business**

#### **8.1 Sustainability of the Catchment**

Councillor Bourke raised concerns that over time the theme of the Riverfest event may shift from sustainability of the catchment.

It was noted that all environmental stalls and displays may not necessarily meet the theme of Riverfest, and it was suggested that information on the application forms be reviewed to reflect the needs of the event.

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It was suggested that a stall be erected at the 2012 Riverfest event displaying the history of Riverfest.

**Sub Committee's Recommendation: (Bourke/Michie)**

That the information be noted.

**CARRIED**

**8.2 Refugee Welcome Zone**

It was noted that a number of years ago, Council accepted the invitation of Macarthur Diversity Services Inc to participate in the 'Refugee Welcome Zone' initiative. It was suggested that Council staff examine the possibility of displaying a banner at the 2012 Riverfest event declaring the Refugee Welcome Zone.

**Sub Committee's Recommendation: (Al-Ahmar/Michie)**

That the information be noted.

**CARRIED**

Next meeting of the Sub Committee is Monday 20 August 2012 in Committee Room 3.

Councillor Julie Bourke  
**Chairperson**

Meeting concluded: 6.08pm.

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## **1.2 Minutes of the Festival of Fisher's Ghost Sub Committee Meeting held on 9 May 2012**

### **Reporting Officer**

Manager Communications and Marketing

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### **Attachments**

Minutes of the Festival of Fishers Ghost Sub Committee Meeting held on 9 May 2012

### **Purpose**

To seek Council's endorsement of the Minutes of the Festival of Fisher's Ghost Sub Committee meeting held on 9 May 2012.

### **Report**

Detailed below are the recommendations of the Festival of Fisher's Ghost Sub Committee. Council officers have reviewed the recommendations and they are now presented for Council's consideration. There are no recommendations that require an individual resolution of Council.

### **Recommendations of the Festival of Fisher's Ghost Sub Committee**

#### **Reports listed for consideration**

##### **7.1 Street Parade Update**

That the information be noted.

##### **7.2 Street Fair Update**

That the information be noted.

##### **7.3 2012 Festival of Fisher's Ghost Miss Princess Quest**

That the information be noted.

##### **7.4 Website Update**

That the information be noted.

##### **7.5 Marketing Update**

That the information be noted.

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## **7.6 Sponsorship**

That the information be noted.

## **8.1 Festival of Fisher's Ghost Entities**

That the information be noted.

## **Officer's Recommendation**

That the minutes be noted.

## **Committee's Recommendation: (Hawker/Borg)**

That the Officer's Recommendation be adopted.

**CARRIED**

## **Council Meeting 5 June 2012 (Greiss/Rule)**

That the Officer's Recommendation be adopted.

## **Council Resolution Minute Number 95**

That the Officer's Recommendation be adopted.

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## **ATTACHMENT 1**

### **Minutes of the Festival of Fisher's Ghost Sub Committee**

**Held Wednesday 9 May 2012  
in Committee Room 3**

Meeting commenced: 6.00pm

#### **1. Acknowledgement of Land**

An Acknowledgement of Land was presented by the Chairperson, Councillor Kolkman.

#### **2. Attendance and Apologies**

**Attendance:** Councillor Rudi Kolkman (Chairperson)  
Michael Sewell - Director Business Services  
Bernice Naylor - Manager Communications and Marketing  
Marie Rutledge  
Graham Charlesworth

**Also in Attendance:** Beth Buckley - Executive Support

**Apologies:** Councillor Mollie Thomas  
Paul Tosi  
Amanda King

#### **Sub Committee's Recommendation: (Kolkman/Sewell)**

That the above apologies be accepted.

**CARRIED**

#### **3. Declarations of Interest**

There were no Declarations of Interest made at this meeting.

#### **4. Minutes of the Previous Meeting**

##### **Report**

The minutes of the Sub Committee meeting held 8 February 2012 copies of which have been circulated to each Sub Committee member were adopted by Council at its meeting 13 March 2012.

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

That the information be noted.

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**Sub Committee's Recommendation: (Naylor/Rutledge)**

That the information be noted.

**CARRIED**

**5. Business Arising from Previous Minutes**

Nil

**6. Correspondence**

Nil

**7. Reports**

**7.1 Street Parade update**

**Purpose**

To provide the sub committee with an update on the Street Parade.

**Report**

As outlined at the last meeting, the theme for the 2012 Festival of Fisher's Ghost Street Parade will be in line with the National Year of Reading. The specific theme selected is "Love to read", taken from the tag line of the National Year of Reading initiative.

The colour orange has been selected as the parade colour, to guide entrants that may not be able to adhere to the main theme, and as always, the history of Fisher's Ghost will also be an acceptable way of theming parade entries.

Council's float entry will be used to highlight current initiatives at the libraries, with preliminary discussions underway with the Manager Library Services. It is also expected that the Visiting Author Program will be scheduled to coincide with the Festival, with one of the author visits becoming an associated event.

Toastmasters have again been approached to provide the parade commentary, with judges to be decided and confirmed in the coming months.

To encourage a greater number of entries, entry forms will be available from early July and for the first time, online entry will be available.

**Officer's Recommendation**

That the information be noted.

**Sub Committee's Recommendation: (Charlesworth/Rutledge)**

That the information be noted.

**CARRIED**

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## **7.2 Street Fair update**

### **Purpose**

To provide the sub committee with an update on the Street Fair.

### **Report**

Planning has begun on the Street Fair entertainment line up and the main stage show, Dr Seuss' Cat in a Hat has been confirmed.

Following from the successful use of Mawson Park in 2011 as a family friendly zone, it is again proposed that this area houses predominantly children and family related stall holders, a petting zoo (or similar) and a free children's workshop.

Options for the children's workshop include a Playdough Imagination Factory, a full scale replica of Lightning McQueen from the Pixar movie Cars, along with Cars related craft activities or a Masterchef themed activity where children can participate in hands on cooking workshops. Events staff are currently reviewing the cost and logistics involved in each activity to identify which option would be the most appropriate for the site.

The Lithgow Street stage has historically featured local entertainment, ranging from dance groups to vocalists. It has always been difficult to find quality local performers, who will be committed to their allocated spot. The 2011 event saw one performer pull out on the morning of the event and two performers not arrive at all, with no explanation. Council's events team have been approached by a local vocal school, Leah Cassar Voice Production, to manage this stage, both on the day and to source the performers in the lead up. Events staff already have a good working relationship with Leah due to their involvement in Campbelltown's Christmas Carols event and feel this is a suitable solution to the problems previously encountered.

### **Officer's Recommendation**

That the information be noted.

### **Sub Committee's Recommendation: (Rutledge/Charlesworth)**

That the information be noted.

### **CARRIED**

## **7.3 2012 Festival of Fisher's Ghost Miss Princess Quest**

### **Purpose**

To provide the sub committee with an update on the 2012 Festival of Fisher's Ghost Miss Princess Quest.

### **Report**

Sponsors of the Miss Princess Quest have been confirmed. Sponsoring the event again this year are:

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- Lend Lease Macarthur Square
- June Dally Watkins Education and Training
- Alan Evans Jewellers
- McDonald's Woodbine
- Megan Sloper
- News Local Macarthur Chronicle
- The Macarthur Advertiser.

Dates of the quest have been set, with notable event dates being as follows:

- Entries open - Monday 3 July 2012
- Entries close - Friday 28 September 2012
- Judging - Saturday 13 October 2012
- Crowning - Sunday 28 October 2012
- Parade - Saturday 3 November 2012

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

That the information be noted.

#### **Sub Committee's Recommendation: (Rutledge/Kolkman)**

That the information be noted.

#### **CARRIED**

### **7.4 Website update**

#### **Purpose**

To provide the sub committee with an update on the Festival of Fisher's Ghost website.

#### **Report**

In line with the redevelopment of Council's website, the Festival of Fisher's Ghost website has undergone an update, both to the layout and overall look.

Some notable changes to the website include a new look home page, which has been modernised and now features a scrolling slideshow of event images. The home page also has three highlight text boxes that can be used for target marketing in the lead up to the event, rather than having static information.

The site is easier to navigate through and the layout of the menus will allow for a greater number of pages. The location page also features an interactive Google map.

The new site has the flexibility to incorporate online forms which will be very beneficial for street fair, parade and Miss Princess applications, making it easier for interested parties to apply and reducing the data entry involved with using paper forms.

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**Officer's Recommendation**

That the information be noted.

**Sub Committee's Recommendation: (Sewell/Naylor)**

That the information be noted.

**CARRIED**

**7.5 Marketing Update**

**Purpose**

To provide the sub committee with an update on the marketing of the 2012 Festival of Fisher's Ghost.

**Report**

Together with the traditional marketing platforms used for the Festival including radio, print and web, events staff will be trialling targeted billboard advertising in 2012.

Advertising opportunities are available to both Liverpool and Ingleburn stations for the period 8 October to 4 November.

Almost 8000 people alight the train at Ingleburn each week. This does not include the passengers already on the train coming from either the city or Macarthur.

On average, 17,300 people alight the train at Liverpool each week not including those already on the train coming from Granville, Parramatta or the two lines coming from the city.

The cost of this opportunity is comparable to a full page advertising in the local paper, while targeting a wider audience over a period of one month.

**Officer's Recommendation**

That the information be noted.

**Sub Committee's Recommendation: (Rutledge/Kolkman)**

That the information be noted.

**CARRIED**

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## **7.6 Sponsorship**

### **Purpose**

To provide the sub committee with an update on sponsorship.

### **Report**

The content and layout of the Festival's sponsorship package has remained unchanged for a number of years. Due to the lack of sponsorship over the past few years, events staff are currently redeveloping the package to encourage a greater investment and interest in sponsorship of the event. While sponsorship is becoming increasingly difficult to obtain across all events, a rejuvenated package of options can only improve the chances of getting the attention of potential sponsors for the Festival.

Changes are being made to the overall layout to ensure that it is easier to read, it is less wordy and focused more on images - both of the sponsorship opportunities available and images of the event.

Sponsorship levels are also being reviewed with the cost of the packages being reduced. There will be a greater number of smaller opportunities available, with sponsors having the ability to sponsor specific elements of the event, rather than the historic platinum, gold and silver hierarchy type sponsorship.

As an example of this, there will be an option to sponsor the kid's activity zone in Mawson Park. The cost of this sponsorship opportunity will relate directly to the cost of running this aspect of the event. Companies that provide services specific to families and children will be approached directly for this particular opportunity, rather than the blanket marketing approach taken previously.

### **Officer's Recommendation**

That the information be noted.

### **Sub Committee's Recommendation: (Naylor/Rutledge)**

That the information be noted.

**CARRIED**

## **8. General Business**

### **8.1 Festival of Fisher's Ghost Entities**

Councillor Kolkman noted that the Arts Centre Sub Committee will be held next week and he will reinforce the message for the events for the Festival of Fisher's Ghost to be run collaboratively.

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**Sub Committee's Recommendation: (Kolkman/Naylor)**

That the information be noted.

**CARRIED**

The next meeting of the Sub Committee will be held 8 August 2012 in Committee Room 3.

Councillor Rudi Kolkman

**Chairperson**

Meeting concluded: 6.20pm

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## **2. GOVERNANCE AND ADMINISTRATION**

### **2.1 Local Government Association of NSW - Request for Assistance with Legal Costs**

#### **Reporting Officer**

Manager Governance and Administration

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#### **Attachments**

Correspondence from the Local Government Shires Association NSW

#### **Purpose**

To advise Council that a request has been received from the Local Government Association of NSW asking for Council's assistance towards the cost of legal expenses incurred by Blacktown City Council.

#### **Report**

The Local Government Association of NSW has written to Council seeking assistance in respect of legal costs incurred by Blacktown City Council in a matter before the Administrative Decisions Tribunal (ADT).

The matter involves a request for access to the performance assessment report of Blacktown City Council's General Manager by way of the *Government Information (Public Access) Act 2009* (GIPA).

The applicant was granted access to a copy of the report to Council of the performance of the General Manager, including performance criteria and a copy of the standard contract for the General Manager. Access was refused to all personal details including comments made by the assessment panel and the individual ratings/scores.

The applicant was not satisfied with this outcome and wants all documents and information associated with the performance review, and has made application to the ADT in this regard. The Office of the Information Commissioner (OIC) which was established to provide assistance to applicants or respondents to requests for access to information under the GIPA, has also supported the applicants view that it is in the public interest to release all documents.

Blacktown City Council have resolved to defend the application in the ADT, as it is concerned that the OIC considers that it is in the public interest to disclose the full performance review report of an employee including personal details.

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Blacktown City Council is concerned that the decision of the OIC will set a benchmark for similar applications and thereby establish a precedent which may have far reaching consequences for agencies, including impacting on the integrity and basis of performance records. Blacktown City Council considers that to achieve effective and fair performance assessments, the review must involve full and frank discussions between an employer and employee. Blacktown Council is concerned that this situation may be compromised if an employer is compelled to release to the public any personal or confidential information emanating from that process.

The estimated costs of this matter are \$12,000 and Campbelltown City Council's voluntary contribution towards the legal costs would be \$215.73.

It has been Council's policy in the past to support actions that affect Local Government and as this action does have relevance to Council it is recommended that Council contribute to the legal costs in this matter.

### **Officer's Recommendation**

That Council support Blacktown City Council and forward the contribution of \$215.73 toward legal expenses as outlined in the body of the report.

Having declared an interest in regards to Item 2.1, Councillor Hawker left the room and did not take part in debate nor vote on this item.

### **Committee's Recommendation: (Borg/Chanthivong)**

That the Officer's Recommendation be adopted.

### **CARRIED**

At the conclusion of the discussions regarding Item 2.1, Councillor Hawker returned to the room for the remainder of the meeting.

### **Council Meeting 5 June 2012**

Having declared an interest in regard to Item 2.1, Councillor Hawker left the Chamber and did not take part in debate nor vote on this item.

### **Council Meeting 5 June 2012 (Greiss/Rule)**

That the Officer's Recommendation be adopted.

### **Addendum (Lake/Rule)**


2. That Council submit a motion to the 2012 Local Government Conference asking the Local Government Association to consider establishing a reserve fund for legal costs to assist member Councils in defending matters before the Administrative Decisions Tribunal.
-

### **Council Resolution Minute Number 96**


That the Officer's Recommendation incorporating the addendum be adopted.

At the conclusion of the discussion regarding Item 2.1, Councillor Hawker returned to the Chamber for the remainder of the meeting.

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**ATTACHMENT 1**

Local Government  
Association of NSW



Shires Association  
of NSW

Our ref: R90/0240 Out-20427  
27 April 2012

MAY01'12 08:11:50 RCVD

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

Dear Mr Tosi

**Legal Assistance Blacktown City Council**

The Local Government Association has resolved to assist Blacktown City Council by way of the Legal Assistance Policy and Guidelines in a matter before the Administrative Decisions Tribunal (the ADT).

The matter involves a request for access to the performance assessment report of Blacktown City Council's General Manager by way of the Government Information (Public Access) Act 2009 (the GIPA).

The applicant was granted access to a copy of the report to council of the performance of the General Manager including the performance criteria and a copy of the standard contract for the General Manager. Access was refused to all personal details including comments made by the assessment panel and the individual ratings/scores.

The applicant was not satisfied with this outcome and wants all documents and information associated with the performance review and has made application to the ADT in this regard.

The Office of the Information Commissioner (the OIC), which was established to provide assistance to applicants or respondents to requests for access to information under the GIPA, has also supported the applicants view that it is in the public interest to release all documents.

Blacktown City Council have resolved to defend the application in the ADT as it is concerned that the OIC considers that it is in the public interest to disclose the full performance review report of an employee including personal details.


Council is also concerned that the decision of the OIC will set a benchmark for similar applications and thereby establish a precedent which may have far reaching consequences for agencies including impacting on the integrity and basis of performance records. Council considers that to achieve effective and fair performance assessments, they must involve full and frank discussion between an employer and employee. Council is concerned that this situation may be compromised if an employer is compelled to release to the public any personal or confidential information emanating from that process.

The estimated costs of this matter are \$12,000 and yours councils contribution is \$215.73.

By the terms of the Legal Assistance Policy and Guidelines your council is under no obligation to provide assistance.

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

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

## **2.2 Local Government Association of NSW**

### **Reporting Officer**

Manager Governance and Administration

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### **Attachments**

One Association - Update and Status Report

### **Purpose**

To update Council on the status of the One Association proposal.

### **Report**

In late April 2012 the Executive Committees of both the Local Government and Shires associations each separately took important formal steps for progressing the proposal to establish 'One Association' to the next stage, which is to have the proposal submitted to a secret postal ballot of delegates of the members of each Association.

On 17 April 2012, in the case of the Executive Committee of the Shires Association, and on 20 April 2012 in the case of the Executive Committee of the Local Government Association, a number of formal resolutions were adopted authorising the two associations to jointly apply to Fair Work Australia for its approval for the submission of the proposed amalgamation to ballot.

A result of the resolutions being passed by both executives, the application was lodged on 20 April 2012 and a hearing before Fair Work Australia is now awaited. If as hoped Fair Work Australia gives its approval in the near future, the conduct of the vote will be handed to the Australian Electoral Commission who will independently manage the voting process.

Campbelltown City Council is entitled to seven votes in the Local Government Association of NSW 'One Association' ballot and Council at its meeting of 10 April 2012 elected Councillors Borg, Glynn, Greiss, Hawker, Kolkman, Lake and Oates as its voting delegates.

As requested by the associations, Council has forwarded details of its voting delegate's names and addresses to ensure the completion of the voting process.

### **Officer's Recommendation**

That the information be noted.

### **Committee's Recommendation: (Hawker/Borg)**

That the Officer's Recommendation be adopted.

**CARRIED**

---

**Council Meeting 5 June 2012 (Greiss/Rule)**

That the Officer's Recommendation be adopted.

**Council Resolution Minute Number 95**

That the Officer's Recommendation be adopted.

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## ATTACHMENT 1

### One Association – Update & Status Report

May 2012

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#### Summary

This report provides Council with an update regarding the progress towards One Association, outlines next steps and outlines what Council needs to do next. A number of Frequently Asked Questions are also provided with answers to assist Council with their discussions surrounding this very important matter.

#### Report

##### **Status as at end April 2012**

On the 17 April 2012 the Shires Executive and on 20 April 2012 the Local Government Association Executive passed the formal resolutions required to progress the One Association matter to go to a vote of the members' delegates.

The Shires Association Executive unanimously resolved in favour of the resolutions. The Local Government Association Executive adopted the resolutions by a majority of 21 to 3.

The formal documentation has been lodged with Fair Work Australia. Shortly Fair Work Australia will engage the Australian Electoral Commission to undertake the secret postal ballot of members' delegates.

It is important to note that there are actually two separate secret postal ballots; one will be a ballot of LGA member's delegates, and the other will be a ballot of SA members' delegates. Both ballots need to achieve a majority of "yes" votes to enable the formation of One Association.

It is anticipated that the ballots will occur before the September 2012 Local Government general elections but exact timing will depend on Fair Work Australia.

##### **What Councils need to do**

All Councils need to supply the following to the Association by 31 May 2012:

1. The full name of their voting delegate/s, and,
2. The private mailing address of the delegate/s

This is very important as the Association is required to prepare the Roll of Voters for the Australian Electoral Commission.

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### Frequently Asked Questions

Q: *Why is the ballot being held before the September elections?*

A: This process has been ongoing for many years. Current Councillors should be aware of the progress of the matter. If the ballot is held over until after the 2012 general elections new councillors will not be aware of the history or the process and would not be in a position to make an informed decision.

Q: *When would One Association take effect?*

A: Assuming that the majority of delegates vote "yes" forming One Association would not take place until after 1 March 2013, but no later than 2 June 2013. Even after a positive vote there is significant work to be done in conjunction with Fair Work Australia as well as making provision for the numerous administrative changes which would have to take place, such as transferring assets and transitioning staff. The transition however needs to take effect before 2 June 2013 otherwise the Shires Association would need to hold fresh Executive elections.

Q: *Why is the ballot a secret postal ballot?*

A: Because it is a requirement under the Fair Work (Registered Organisations) Act. The Associations have no choice in this decision.

Q: *Has there been enough consultation?*

A: The issue of One Association has been discussed over many years. In more recent times it has been discussed:

- At the 2003 LGA Conference
- At the 2004 SA Conference
- At the 2004 LGA Conference
- As part of the 2005 Woods/Wearne report titled "Options for One Local Government Association in NSW"
- At the 2005 SA Conference
- At the 2005 LGA Conference
- At the 2006 SA Conference
- At the 2006 LGA Conference
- At the 2007 SA Conference
- At the 2007 LGA Conference
- At the 2008 SA Conference
- At the 2008 LGA Conference
- At the 2009 SA Conference
- At the 2009 LGA Conference
- At the One Association Convention held in August 2010
- At the 2010 LGA Conference
- In February 2011 the Associations sent all Councils a draft Constitution requesting feedback and comments
- In February 2011 the SA held a Special Conference to discuss the Principles set out at the 2010 Convention
- At the 2011 SA Conference
- In November 2011 the Associations sent all Councils a further draft Constitution requesting feedback and comments

In addition there have been numerous presentations made to all Shires Divisional meetings at various times, and to various LGA ROC meetings and in other forums.

Q: *Why is there no "No" Case?*

A: There are two reasons, firstly the Fair Work (Registered Organisations) Act does not require a "No" case to be prepared because it presumes a process towards an amalgamation would not have started in the first place unless it had been directed by members – which is the case in this instance. The issue of One Association has arrived

at the stage of a ballot after repeated Conference resolutions calling for a single Association. It is not in the interests of the Association to prepare a case which cuts across the wishes and resolutions of the majority of our members.

Q: *How many voting delegates does my Council have for the secret postal ballot?*

A: The numbers are calculated under the current rules of each Association, so for:

- Shires Association members, each has one voting delegate, and for
- Local Government Association Members it depends on the member's population, and is calculated in accordance with the following scale:

Group No.	Population	Delegates
1	Less than 10,000	1
2	10,000 - 20,000	2
3	20,000 - 50,000	3
4	50,000 - 100,000	4
5	100,000 - 150,000	5
6	Over 150,000	7
7	County councils	2
8	Aboriginal Land Council	27

(To independently determine a Council's population see the latest release of Australian Bureau of Statistics publication 3218.0)

Q: *Can Associate members vote?*

A: No, only ordinary members can vote in the secret ballot. The Fair Work (Registered Organisations) Act treats this ballot the same as if it was a ballot for the election of members of the Executive.

Q: *How does voting work under One Association:*

A: One of the key principles to come from the One Association Convention held in August 2010 was to enshrine the concept that the overall voting numbers of the rural/regional area would be the same as the overall voting numbers of the Metropolitan/Urban areas. This was covered as Principles 4 and 5, and was, with the other Principles ratified by subsequent Conferences of both Associations. These Principles say:

- 4 *"For the purpose of voting for the Board of Directors, each region will have an equal number of votes, which will be distributed proportionally on a basis to be determined among those ordinary member councils who fall within that region, with all ordinary member councils receiving at least one vote."*
- 5 *"For the purpose of voting on motions at Conference, each region will have an equal number of votes, which will be distributed proportionally on a basis to be determined among those ordinary member councils who fall within that region, with all ordinary member councils receiving at least one vote."*

The voting arrangements satisfy the overarching requirements of equality among the regions. What this means in effect is that councils in the same region with similar populations will have the same number of votes, but this will not always be the case for similar sized councils in different regions. The reason for this is the difference in council numbers between the regions, the Rural/Regional Region has 114 general purpose Councils, 10 County Councils and 8 Regional Aboriginal Lands Councils. The Metropolitan/Urban Region has 38 general purpose Councils, 2 County Councils and 1 Regional Aboriginal Lands Council. Due to the larger number of Councils in the Rural/Regional Region additional votes needed to be allocated to the Councils in the Metropolitan/Urban Region to balance the overall voting numbers.



Q: *But is this "fair"*

A: The One Association rules have been developed to ensure equity across the membership in a number of ways. Importantly, the One Association rules provide that only Rural/Regional voting delegates are able to vote for the 10 Rural/Regional Board members and the Rural/Regional Vice President in the same way that only Metropolitan/Urban voting delegates are able to vote for the 10 Metropolitan/Urban Board members and the Metropolitan/Urban Vice President. It makes no difference if a Metropolitan/Urban Council with the same population has a different number of voting delegates to a Rural/Regional Council with a similar population as they won't be voting for the same candidates in the same elections.

For the positions of President and Treasurer both regions have the same number of votes in total. This will allow for these positions be popularly elected overall – however, the rules also ensures that the position of President must alternate between the Metropolitan/Urban and Rural/Regional areas. This further enhances the equity.

Similarly with Conference motions, both Regions have the same overall numbers. This provides for Association policy to be made which has the sanction of the majority of members, and ensures that no Region can dominate the other.

Q: *What about the Assets of my current Association?*

A: The assets of both Associations will be merged together on the amalgamation date. Neither Association will be financial detrimentally affected in any consequential way by this merger. To illustrate this we need to use the last full year's financial statements, 2010/2011 which showed the total equity of each Association as follows:

	Total Equity (\$)	% Equity	Subscriptions \$	% Subscriptions
<b>LGA</b>	19,015,275	66.19	2,876,208	65.77
<b>SA</b>	9,713,269	33.81	1,496,629	34.23
<b>Total Combined</b>	<b>28,728,544</b>	<b>100.00</b>	<b>4,372,837</b>	<b>100.00</b>

The Associations' Rules (and the rules for the new One Association) provide that if the Association is dissolved any surplus funds are paid to the members in the proportion which each member's subscription for the year bears to the total amount of subscriptions for that year.

What this means is that had the Associations dissolved at the end of the 2010/11 financial year the members of each Association would have received in total the complete equity of their Association, that is, for the LGA members 100% X \$19,015,275 and for the SA 100% X \$9,713,269.

If the Associations had merged and immediately dissolved at the end of the 2010/11 financial year:

LGA members would have received: 65.77% of \$28,728,544 = \$18,894,763  
 SA members would have received: 34.23% of \$28,728,544 = \$9,833,781

The overall affect would be:

	No Merge \$	Merge \$	Difference \$
LGA	19,015,275	18,894,763	(120,512)
SA	9,713,269	9,833,781	120,512
<b>Total Combined</b>	<b>28,728,544</b>	<b>28,728,544</b>	<b>0</b>

For this example, at this point in time, the LGA members combined would be "worse off" by \$120,512 on dissolution, and SA members combined would be "better off" by the same amount. On an individual Council basis Association's calculations have shown the "worse off" Councils range in dollar terms from (\$43.05) to (\$2,202.46) while the "better off" Councils range in dollar terms from \$165.47 to \$2,457.64. As the combined difference represents less than half a percent of overall total equity ( $\$120,512/\$28,728,544 \times 100 = .419\%$ ) it is not considered significant.

**Recommendation:**

That Councillor/s **XXXXXX** be nominated as Councils voting delegates to take part in the forthcoming secret postal ballot to deal with the matter of One Association, and that their names and personal postal addresses be forwarded to the Associations to form the Roll of Voters.

## **2.3 Revised Policy - Recording of General Business Items at Council Committee Meetings**

### **Reporting Officer**

Manager Governance and Administration

---

### **Attachments**

Copy of revised Recording of General Business Items at Council Committee Meetings Policy

### **Purpose**

To seek Council's endorsement of the revised Recording of General Business Items at Council Committee Meetings Policy.

### **Report**

The abovementioned Policy was adopted by Council at its meeting of 21 August 2007 and is now due for review in accordance with the Records and Document Management Policy.

The objective of the policy is to formalise the procedure for the recording of questions raised in the general business section of Council Committee meetings.

The Policy has been reviewed and the only change recommended is to include a sentence to ensure that Councillors are forwarded a memo outlining the questions they raised during the general business section of the Council Committee meeting. The proposed changes are highlighted on the attached Policy.

### **Officer's Recommendation**

1. That the revised Recording of General Business Items at Council Committee Meetings Policy as attached to this report be adopted.
2. That the Policy review date be set at 30 June 2015.

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

That the Officer's Recommendation be adopted.

**CARRIED**

---

**Council Meeting 5 June 2012 (Greiss/Rule)**


That the Officer's Recommendation be adopted.

**Council Resolution Minute Number 95**

That the Officer's Recommendation be adopted.

---

**ATTACHMENT 1**

		<b>POLICY</b>
Policy Title	Recording of General Business Items at Council Committee Meeting	
Related Documentation	Councillor's Access to Information and Interaction with Staff Policy. Council's Code of Meeting Practice	
Relevant Legislation/ Corporate Plan	<i>Local Government Act 1993</i> <i>Local Government (General) Regulation 2005</i>	
Responsible Officer	Manager Governance and Administration	

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

**Objectives**

To ensure that all questions asked by Councillors in General Business at Council Committee Meetings are recorded and acted upon expediently.

**Policy Statement**

To formalise the procedure for the recording of questions at a Council Committee Meeting and to provide a quality level of service to Councillors by allowing minor matters to be dealt with without delay.

**Scope**

This Policy relates to questions asked in the General Business Section of all Council's Standing Committees.

**Legislative Context**

The *Local Government Act 1993* and the *Local Government (General) Regulation 2005* concerning meeting practice.

## 2.3 Revised Policy - Recording Of General Business Items At Council Committee Meetings

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### Principles

- That any matter raised in the General Business Section of a Committee Meeting that requires a report to be prepared, will be dealt with as a recommendation of the Committee to Council. The recommendation will require a Mover and a Secunder.
- That the Executive Assistant records all questions raised during the General Business section of a Committee meeting.
- That where practicable the Councillor should provide the Executive Assistant with a copy of the question in writing.

### Responsibility

- That the Executive Assistant registers the questions in Council's Minutes Manager System and forward the questions in memo form to the relevant Director for response or action and that a copy of the memo be also forwarded to the appropriate Councillor.
- That the relevant Director be responsible for ensuring that a reply is forwarded to the Councillor within seven days and prior to the next Council meeting.
- That should satisfactory action not be taken prior to the Council meeting, the question be formally raised and recorded as "Questions Without Notice" at that meeting.

### Effectiveness of the Policy

That the Manager Executive Services monitor the responses to Councillors to ensure that all questions are answered in an appropriate time frame.

## END OF POLICY STATEMENT

### DOCUMENT HISTORY AND VERSION CONTROL RECORD

#### Contact for inquiries and proposed changes

<b>Name</b>	Donna Bourke
<b>Position/Section</b>	Manager Governance and Administration
<b>Contact Number</b>	4645 4320

<b>Version Number</b>	<b>Revised Date</b>	<b>Authorised Officer</b>	<b>Amendment Details</b>

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### **3. PROPERTY SERVICES**

#### **3.1 Release of Restriction on the use of Land - Glenfield Road Release Area**

##### **Reporting Officer**

Manager Property Services

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##### **Attachments**

Nil

##### **Purpose**

To seek Council approval to the surrender/release of an easement for sullage water as part of the Glenfield residential release area.

##### **History**

On 14 February 2002, deposited plan 1048485 was registered which created two parcels of land being Lots 711 and 712. The plan also created an easement for sullage water which permitted the smaller Lot being 712 to dispose of all sullage waste water from the existing dwelling and existing on-site septic tanks onto the larger parcel being Lot 711.

This easement appears to have been created on the basis that upon residential development of the larger parcel (Lot 711) the existing dwelling upon Lot 712 would be connected to the reticulated sewerage system provided as part of the adjoining residential development.

##### **Report**

Council has received a development application for the subdivision of several parcels of land in the Glenfield release area which includes Lot 711. Given Lot 711 is burdened by an easement for sullage of water, the developer has requested that Council provide its consent to release the easement.

Council is the prescribed authority listed as being empowered to release, vary or modify the terms of the easement. In this regard the developer has sought the consent of Council to release this easement.

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Documentation by way of a Deed of Agreement between the two adjoining land owners (Lot 711 and Lot 712) has been provided to Council as evidence that a formal arrangement is in place that would operate from the time the easement is released and up until the time that the existing dwelling is connected to the reticulated sewerage system. The formal arrangement is that the developer at its expense is to arrange for the septic tank connected to the existing dwelling to be emptied as often as reasonably required to ensure it is operating efficiently.

In this respect and on the basis that a formal agreement is in place to operate during the period the easement is released to the time the existing dwelling is connected to the reticulated sewerage system it is considered appropriate that Council release the subject easement.

Accordingly, it is recommended that Council provide its approval to the surrender/release of the easement for sullage water created by DP 1048485 benefiting Lot 712, burdening Lot 711 in that Plan and being the easement secondly referred to in the Section 88B instrument accompanying DP 1048485 for a nominal \$1 if demanded.

### **Officer's Recommendation**

1. That Council provide approval to the release of the easement for sullage water created by DP 1048485 benefiting Lot 712, burdening Lot 711 in that Plan and being the easement secondly referred to in the Section 88B instrument accompanying DP 1048485 on the terms outlined in this report.
2. That all documentation associated with the release of the easement be executed under the Common Seal of Council if required.

### **Committee's Recommendation: (Hawker/Borg)**

That the Officer's Recommendation be adopted.

**CARRIED**

### **Council Meeting 5 June 2012 (Greiss/Rule)**

That the Officer's Recommendation be adopted.

### **Council Resolution Minute Number 95**

That the Officer's Recommendation be adopted.

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## 4. FINANCIAL SERVICES

### 4.1 Investment Report - April 2012

#### Reporting Officer

Manager Financial Services

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#### Attachments

Investment Portfolio Performance as at 30 April 2012

#### Purpose

To provide a report outlining Council's investment portfolio performance for April 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 30 April 2012 stood at approximately \$80m. Funds are currently being managed by Council staff and is 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 more than 100 basis points for the reporting period.

Return	Annualised	Month
Council Managed Funds	5.70%	0.47%
Benchmark: 90 Day Bank Bill Index	4.58%	0.38%

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.

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<b>Rolling Year to Date Return</b>	<b>April</b>
Council Managed Funds	5.85%
Benchmark: 90 Day Bank Bill Index	4.76%

Council's portfolio as at 30 April 2012 is diversified with 67% in term deposits of varying lengths of maturity which are managed in accordance with market expectations and Council's investment strategy, 24% in floating rate notes which give 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.

<b>Duration Profile</b>	<b>April</b>
Short Term at Call	\$1,116,984
1 – 3 Months	\$7,294,861
3 – 6 Months	\$41,208,353
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 any unrated institutions.

<b>Credit Exposure</b>	<b>April</b>
AAA to AA-	93%
A+ to A	7%
A- to BBB-	0%
Other Approved Deposit Taking Institutions	0%

### **Economic Outlook**

The Reserve Bank Board (RBA) decided to reduce the cash rate by 50 basis points to 3.75% at its meeting on 1 May 2012 citing weaker than expected economic conditions. The Board's statement indicates a decline in inflation, in part due to the previous rise in food prices as a result of extreme weather events in the first half of this year, having now reversed. The Board also considered that this 50 basis point lowering is necessary in order to deliver an appropriate level of borrowing rates.

### **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: (Chanthivong/Lake)**

That the Officer's Recommendation be adopted.

### **CARRIED**

### **Council Meeting 5 June 2012 (Greiss/Rule)**

That the Officer's Recommendation be adopted.

### **Council Resolution Minute Number 95**

That the Officer's Recommendation be adopted.

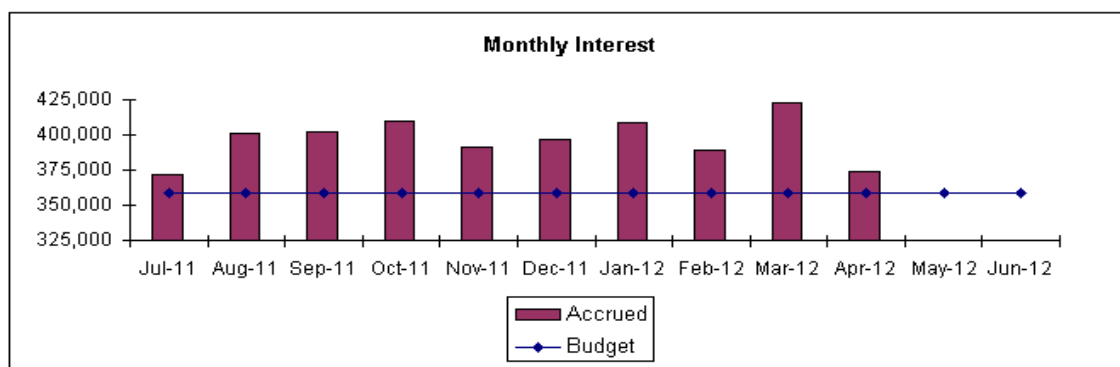
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# ATTACHMENT 1

## Summary April 2012

Benchmark UBS Warburg 90 Day Bank Bill Index  
 Portfolio Balance \$80,264,230.96

Monthly Performance	Return (mth)	Return (pa)
UBSW 90 Bank Bill Index	0.38%	4.58%
Total Portfolio	0.47%	5.70%
<i>Performance to Benchmark</i>	+ 0.09%	+ 1.12%
Portfolio - Direct Investments	0.47%	5.73%
<i>Performance to Benchmark</i>	+ 0.09%	+ 1.15%
Short Term Call Account	0.38%	4.65%

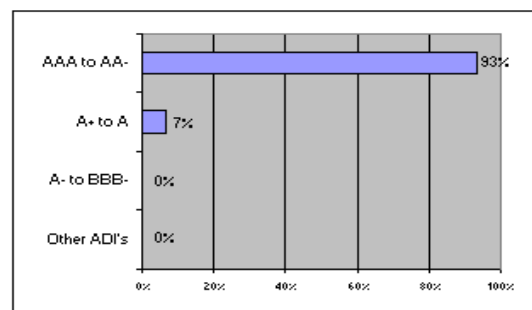


### Year to Date Performance

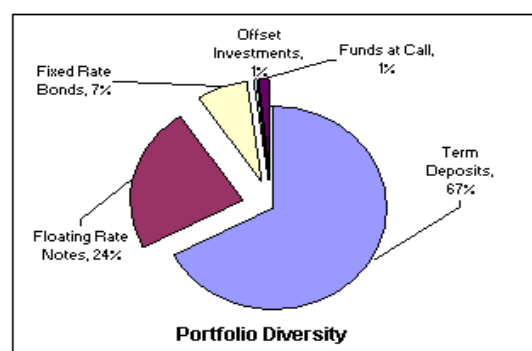
Rolling 12 Month Period  
 5.85% Council Managed Funds  
 0.00% Other Managed Funds  
 4.76% Benchmark

Interest Budget to Actual  
 Budget to Period \$3,583,333  
 Accrued to Period \$3,969,231

### Credit Exposure



### Securities



### Institutions

	Amount Invested	% Portfolio
Funds at Call	\$ 1,116,984.21	1%
Suncorp Metway	\$ 4,370,917.78	5%
National Australia Bank	\$ 11,601,956.88	14%
ANZ Bank	\$ 8,545,111.24	11%
NSW Treasury	\$ 4,250,000.00	5%
Westpac Bank	\$ 17,884,415.67	22%
St George Bank	\$ 8,268,339.08	10%
Commonwealth Bank	\$ 12,500,000.00	16%
Bank Western Australia	\$ 11,726,506.10	15%
Building Societies	\$ -	0%
Unrated Institutions	\$ -	0%
<b>Total</b>	<b>\$80,264,230.96</b>	<b>100%</b>

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## 4.2 Sundry Debtors Report - April 2012

### Reporting Officer

Manager Financial Services

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### Attachments

1. Debtors Summary to 30 April 2012
2. Ageing of Sundry Debts to 30 April 2012

### Purpose

To provide a report detailing the amount outstanding by type and age for sundry and miscellaneous debts for the period ending 30 April 2012.

### Report

Debts outstanding to Council as at 30 April 2012 were \$1,094,728 reflecting a decrease of \$124,539 since March 2012. The ratio of outstanding debts to current invoices has increased from 20% in March to the current level of 25%. 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, 300 invoices were raised totalling \$452,786 and of these, the most significant have been in the following areas:

#### Corporate Administration - \$97,117

The main invoices relate to:

Department of Education and Training – Contribution to operating costs at Minto Library, January to March 2012	\$47,446
NSW Environmental Trust – Contractor collection of illegal dumping of asbestos at Ingleburn	\$10,769
Camden Council – Regional Waste Contract, quarter share of legal costs and Asset Inspection and System Development costs	\$5,102

#### Land and Building Rentals - \$72,084

The main invoices relate to:

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
Mycorp Group Pty Ltd - BP Petrol Station, Macquarie Fields	\$12,610

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**Waste Collection Services - \$67,682**

The main invoices relate to:

Thiess Services Pty Ltd - Effluent disposal	\$36,610
G & G Waste Services - Effluent disposal	\$30,943

**Sportsground and Field Hire – \$61,258**

The main invoices relate to invoices raised in April for the hire and commission on sales at Campbelltown Sports Stadium \$54,079:

West Tigers Football Club – Campbelltown Sports Stadium	\$24,150
Total Event Management Services Pty Ltd - Commission from sales at Campbelltown Sports Stadium	\$23,329
Australian Oztag Association – Campbelltown Sports Stadium	\$6,600

**Shop and Office Rentals - \$52,215**

The main invoices relate to:

Nuvezo Pty Ltd – Monthly rental for Dumaresq Street Cinema	\$21,729
McDonalds Australia Limited – Glenquarie Shopping Centre	\$7,246
Campbelltown Amcal Pharmacy – Monthly rental at Milgate Arcade, Queen Street, Campbelltown	\$5,278
Debtor 65462.4 – Macquarie Fields Neighbourhood Store	\$3,938
J & R Versteeg Pty Ltd – Campbelltown Art Centre Café	\$3,866
Debtor 681239 – Woodbine Neighbourhood Store	\$3,723

Receipts to the value of \$577,325 have been received during the period, the most notable in the following areas:

Corporate administration	\$205,452
Shop and office rentals	\$129,150
Land and building rentals	\$70,157
Waste collection services	\$56,069
Sportsground and field hire	\$34,586

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Debts exceeding 90 days of age totalled \$164,997 as at 30 April 2012. The major invoices relating to this balance include:

Debtor 68316.9 - Retaining wall between Lot 1451 DP 703487 2 & 4 Brownlow PI, 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 vehicles	\$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 imminently as part of the next claim	\$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	\$10,658

During the month, 17 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 Examination Notice for unpaid licence fees.

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: (Borg/Lake)**

That the Officer's Recommendation be adopted.

### **CARRIED**

### **Council Meeting 5 June 2012 (Greiss/Rule)**

That the Officer's Recommendation be adopted.

### **Council Resolution Minute Number 95**

That the Officer's Recommendation be adopted.

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**ATTACHMENT 1**

***DEBTORS SUMMARY 1 April 2012 to 30 April 2012***

DEBTOR TYPE/DESCRIPTION	ARREARS AT 31/03/2012	RAISED THIS PERIOD	RECEIVED THIS PERIOD	BALANCE AT 30/04/2012	% DEBT RATIO
Corporate Administration	329,223	97,117	205,452	220,888	20.18%
Abandoned Items	1,940	0	0	1,940	0.18%
Child Care Debts	18,191	0	3,885	14,306	1.31%
Community Bus	489	682	600	571	0.05%
Sportsground and Field Hire	56,084	61,258	34,586	82,756	7.56%
Government and other Grants	134,050	27,500	4,600	156,950	14.34%
Public Hall Hire	15,352	18,219	18,181	15,390	1.41%
Health Services	350	0	0	350	0.03%
Land and Building Rentals	67,469	72,084	70,157	69,396	6.34%
Healthy Lifestyles	3,467	1,018	1,372	3,113	0.28%
Library Fines and Costs	159,036	0	0	159,036	14.53%
Shop Licence Fees	37,979	10,250	12,784	35,445	3.24%
Pool Hire	13,307	14,870	9,602	18,575	1.70%
Private Works	102,953	4,656	4,495	103,114	9.42%
Road and Footpath Restoration	18,295	0	6,981	11,314	1.03%
Shop and Office Rentals	93,026	52,215	129,150	16,092	1.47%
Various Sundry Items	122,189	25,236	19,411	128,014	11.69%
Waste Collection Services	84,546	67,682	56,069	96,158	8.78%
	<b>1,219,267</b>	<b>452,786</b>	<b>577,325</b>	<b>1,094,728</b>	<b>100%</b>



## ATTACHMENT 2

### AGEING OF SUNDRY DEBTOR ACCOUNTS - 30 April 2012

Description	Current Charges	Total 30 Days	Total 60 Days	Total 90+ Days	Balance Due	Previous Month 90+ days
Corporate Administration	22,589	160,947	25,365	11,987	220,888	14,002
Abandoned Items	0	203	0	1,737	1,940	1,737
Child Care Debts	14,306	0	0	0	14,306	0
Community Bus	321	200	50	0	571	0
Sportsground and Field Hire	57,379	11,264	7,547	7,322	83,513	10,075
Government and other Grants	27,500	128,150	0	1,300	156,950	1,400
Public Hall Hire	6,914	1,180	5,899	1,397	15,390	369
Health Services	0	0	0	350	350	350
Land and Building Rentals	44,526	9,823	45	15,002	69,396	15,186
Healthy Lifestyles	1,214	461	31	1,407	3,113	1,407
Library Fines and Costs	159,036	0	0	0	159,036	0
Shop Licence Fees	6,557	3,330	2,405	23,153	35,445	26,193
Pool Hire	14,690	2,146	363	1,376	18,575	1,061
Private Works	5,845	32,429	26,507	38,333	103,114	38,783
Road and Footpath Restoration	0	0	7,990	3,324	11,314	3,324
Shop and Office Rentals	11,017	5,075	0	0	16,092	0
Various Sundry Items	14,447	19,996	35,433	58,137	128,014	58,624
Waste Collection Services	67,352	28,634	0	173	96,158	0
	<b>414,256</b>	<b>403,838</b>	<b>111,636</b>	<b>164,997</b>	<b>1,094,728</b>	<b>172,510</b>

## **4.3 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**

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

### **Report**

Rates and charges levied for the period ending 30 April 2012 totalled \$76,257,461, representing 99.5% of the annual budget amount. The annual budget forecast is expected to be achieved by 30 June 2012.

Receipts collected to the end of April totalled \$61,763,488. In percentage terms this amount represents 78% of all rates and charges due to be paid. In comparison, the amount collected in the same period last year was 77.7%.

The fourth instalment of rates and charges notices were issued on 14 April 2010 to the 47,066 ratepayers who have chosen to pay their account in quarterly instalments. This includes 5,973 Housing NSW accounts that are also billed and paid on a quarterly basis.

Debt recovery action during the month involved the issue of 264 Statements of Claim on accounts that have continued to remain overdue despite requests from Council to either finalise outstanding balances or enter into a satisfactory arrangement to clear the debt. Officers continue to provide advice and assistance to ratepayers experiencing difficulties in finalising their accounts. At present, 401 ratepayers are clearing their accounts through regular weekly, fortnightly or monthly payments.

Ratepayers who purchased property since the issue of the May 2012 instalment notice have received a "Notice to New Owner" letter. During the month, five of these notices were sent advising the amount raised by Council in annual rates and charges and the balance remaining unpaid.

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**Officer's Recommendation**

That the information be noted.

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

That the Officer's Recommendation be adopted.

**CARRIED**

**Council Meeting 5 June 2012 (Greiss/Rule)**

That the Officer's Recommendation be adopted.

**Council Resolution Minute Number 95**

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 1/7/2011	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	43,008,539.04	1,298,381.60	823,905.85	45,185,575.14	34,780,754.72	10,404,820.42	393,203.34	10,798,023.76
BUSINESS	468,880.66	14,459,780.47		93,020.14	15,021,681.27	11,778,729.72	3,242,951.55		3,242,951.55
BUSINESS - IND	172,708.36	0.00		3,554.10	176,262.46	160,536.94	15,725.52		15,725.52
FARMLAND	53,259.58	348,359.10	883.57	3,485.24	404,220.35	361,382.47	42,837.88	155,348.55	198,186.43
MINING	0.00	13,051.33		24.67	13,076.00	13,076.00	0.00		0.00
LOAN	251,772.85	4,023,243.28		15,489.63	4,290,505.76	3,306,903.86	983,601.90	54,055.41	1,037,657.31
F5 ACCESS RAMPS	24,330.32	0.00		531.49	24,861.81	22,666.32	2,195.49		2,195.49
MAIN STREET	72.86	0.00		0.00	72.86	32.74	40.12		40.12
<b>TOTAL</b>	<b>\$3,622,536.48</b>	<b>\$61,852,973.22</b>	<b>\$1,299,265.17</b>	<b>\$940,011.12</b>	<b>\$65,116,255.65</b>	<b>\$50,424,082.77</b>	<b>\$14,692,172.88</b>	<b>\$602,607.30</b>	<b>\$15,294,780.18</b>
GARBAGE	706,630.61	13,342,256.55	391,894.61	43,501.07	13,700,493.62	10,607,947.88	3,092,545.74		3,092,545.74
SANITARY	0.00	73.21		0.00	73.21	0.00	73.21		73.21
STORMWATER	55,274.31	883,054.97		2,759.09	941,088.37	731,457.11	209,631.26		209,631.26
<b>GRAND TOTAL</b>	<b>\$4,384,441.40</b>	<b>\$76,078,357.95</b>	<b>\$1,691,159.78</b>	<b>\$986,271.28</b>	<b>\$79,757,910.85</b>	<b>\$61,763,487.76</b>	<b>\$17,994,423.09</b>	<b>\$602,607.30</b>	<b>\$18,597,030.39</b>

Total from Rates Financial Transaction Summary	18,113,952.10
Overpayments	-483,078.29
Difference	0.00

## ANALYSIS OF RECOVERY ACTION

Rate accounts greater than 6 months less than 12 months in arrears	851,189.37
Rate accounts greater than 12 months less than 18 months in arrears	275,320.83
Rate accounts greater than 18 months in arrears	46,810.92
<b>TOTAL rates and charges under instruction with Council's agents</b>	<b>\$1,173,321.12</b>

## ATTACHMENT 2

### COMPARISON OF BUDGET TO ACTUAL

DESCRIPTION	ORIGINAL BUDGET	REVISED BUDGET	ACTUAL	BALANCE STILL REQD.	% RAISED
RESIDENTIAL	42,819,100	42,819,100	43,008,539	(189,439)	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	4,023,243	(13,043)	100.33%
TOTALS	61,691,804	61,691,804	61,852,973	(161,169)	100.26%
INTEREST CHARGES	240,000	240,000	220,202	19,798	91.75%
LEGAL COSTS RECOVERED	1,100,000	1,100,000	719,923	380,077	65.45%
PENSIONERS - Sec 575	(1,649,996)	(1,649,996)	(1,691,160)	41,164	102.49%
PENSIONERS SUBSIDY	907,498	907,498	930,138	(22,640)	102.49%
SUB TOTAL	62,289,306	62,289,306	62,032,076	257,230	99.59%
DOMESTIC WASTE CHARGES	13,208,604	13,208,604	13,013,296	195,308	98.52%
COMMERCIAL WASTE CHARGES	273,266	273,266	328,960	(55,694)	120.38%
SANITARY INCOME	1,000	1,000	73	927	7.32%
STORMWATER MNGMNT	880,000	880,000	883,055	(3,055)	100.35%
GRAND TOTALS	76,652,176	76,652,176	76,257,461	394,715	99.49%

### COLLECTIONS AS A % OF:

	TOTAL RECEIVABLE	TOTAL LEVIED	TOTAL RECEIVABLE	TOTAL LEVIED
RESIDENTIAL	76.97%	80.87%		
BUSINESS	78.41%	81.46%	RATES	81.52%
FARMLAND	89.40%	103.74%	SANITARY	0.00%
LOAN	77.07%	82.19%	STORMWATER	82.83%
ALL RATES	77.44%	81.52%	TOTAL RATES & CHARGES	81.82%

## ATTACHMENT 3

### RATES STATISTICS

No. of documents Issued	July	August	September	October	November	December	January	February	March	April	May	June	Apr-11
Rate Notices	48,056	175		173			129						11
Electronic - DoH	5,617												41,005
Instalment Notices				41,808			41,257			41,093			5,955
Electronic - DoH				5,752			5,804			5,973			
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	5			19
7-day Letters - Council issued			1,701			1,794			1,797				
- Pensioners > \$500.00			123			114			109				
7-day Letters - Agent issued			693			724			679				
Statement of Claim	278	26	9	272	19	14	255	32	23	264			352
Judgements	20	61	37	35	72	9	31	52	44	26			12
Whits	22	14	43	53	11	32	33	12	51	37			19
erates	1,029	1,039	1,056	1,066	1,072	1,079	1,085	1,097	1,121	1,129			980
Arrangements	381	369	519	336	304	431	376	330	454	401			342

## **4.4 Quarterly Budget Review Statement as at 31 March 2012**

### **Reporting Officer**

Manager Financial Services

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### **Attachments**

Quarterly Budget Review Statements for the period 1 January 2012 to 31 March 2012 (distributed under separate cover)

### **Purpose**

A quarterly financial review has been conducted on the original income and expenditure estimates presented in the 2011-2012 budget. The adjustments relating to the review of the original budget allocations are presented for Council's consideration.

### **Introduction**

A new planning and reporting framework is being phased in for NSW Local Government and has a greater focus on sustainability. In an effort to achieve consistency in reporting between councils, the Division of Local Government has introduced a set of minimum requirements and predefined templates to assist councils in meeting their legislative obligations. Collectively, these documents are known as the quarterly budget review statement (QBRS). The latest QBRS under the new reporting framework has been distributed under separate cover.

### **Report**

In accordance with Clause 203 of the *Local Government (General) Regulations 2005*, the Responsible Accounting Officer is required to prepare a quarterly budget review of income and expenditure estimates and submit a report to Council. The QBRS must also include an opinion of the Responsible Accounting Officer concerning the financial position of Council. This report provides an overview of the results of the financial review for the quarter ended 31 March 2012.

In June 2011, Council adopted a balanced budget for the 2011-2012 financial year. There is no proposed change to the budget result in this review.

The recommended movements relating to income and expenditure are summarised in the attachment and details of major items greater than \$20,000 are listed in the body of this report for Council's consideration.

In the January to March quarter, Council considered a number of reports that either required an adjustment to budget estimates or requested that consideration be given to funding programs. The recommendations from these reports have been included in this review.

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The following major items are detailed with corresponding adjustments recommended following the completion of the quarterly financial review:

**Community Events (3180) - \$26,600 decrease in expenditure**

There has been a salary saving in the Events budget due to a staff change from full time to part time status. This saving has been used to cover additional expenditures in various events such as the Christmas celebrations and the New Year's Eve concert.

**Planning Directorate (1110) - \$27,000 increase in expenditure**

Consultants have been engaged during the financial year to undertake a small number of key strategic projects including the finalisation of an implementation plan associated with the Open Space Review; the development of a Macarthur Region Strategic Infrastructure Needs Analysis and an organisational review of the Planning and Environment Division. These costs were not anticipated in the original budget and expenditure has been funded by additional income received in the Development Assessment Unit.

**Urban Sustainability-The River Project (1236) - \$50,000 increase in expenditure**

Funding was received in the previous year by the Arts Centre to part fund the River Project exhibition. This project is ongoing and these funds are required to fund the outdoor component. This project was going to be delivered in the 2012-13 budgets but was moved forward due to the establishment of a funding partner. These costs have been funded by the Arts Centre General Projects exhibitions budget.

**Sydney Festival-Edge of Elsewhere (1819) - \$163,000 increase in expenditure**

A number of programs encompass the works associated with the Sydney Festival. There was some confusion associated with the different aspects of funding however all costs have been met through the Arts Centres promotional and program budget.

**Eagle Vale Leisure Centre (2000) - \$30,000 increase in expenditure**

These funds are required for an unexpected replacement of the chlorine dosing unit, the installation and upgrade of the microphone and sound system to the leisure centre gym and pool areas and to also repair the uneven surface in the centre. The work has been funded by an increase in the income received from gym memberships.

**Tree Care (2435) - \$130,000 increase in expenditure**

As Council is aware, there has been an increase in the volume of requests in regards to the maintenance and removal of trees. This adjustment is required to fund the operations of the arboriculture section for the remainder of the year. This increase has been funded by savings in the Horticulture area of the Operations budget.

**Office Renovations (2515) - \$30,000 increase in expenditure**

There has been the need for additional workstations and office renovations as a result of minor restructuring in the Governance and Administration and Property Sections.

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**Marsden Park (2647) - \$80,000 increase in expenditure**

Council has engaged a contractor to maintain the open space areas in Park Central. Works include lawn mowing and edging, garden maintenance and bush regeneration. These costs have been funded by savings in the Horticulture area of the Operations budget.

**Governance and Administration (3335) and (4015) – \$104,500 increase in expenditure**

Restructuring of Customer Service and Corporate Support required the amalgamation of two units resulting in a new structure and the termination of a long term employee. This has now been finalised.

**Rates-General Purpose Revenue (3425) – \$80,000 increase in income**

There has been a small amount of growth in the number of new assessments in the Local Government Area. This growth has generated additional rate income above the amount estimated in the original budget. This additional income has been used to offset some of the expenses outlined in this report. This increase is partially offset by an increase in the number of pensioner subsidies.

**Property Development (2960) – \$61,500 increase in income**

As part of the Southern Sydney Freight Line project, ARTC has been occupying Council owned land. The duration of this occupation has been greater than was originally anticipated and as a result, additional income has been generated. This additional income has been used to offset some of the expenses outlined in this report.

**Summary**

As reported to Council in previous years, the financial objective has been to budget a surplus to improve Council's liquidity ratio. As Council is aware, the liquidity ratio has improved significantly and reached a satisfactory level and as such, a balanced budget is proposed for the 2011-2012 financial year.

As per the Responsible Accounting Officer's statement, the 2011-2012 results continue to support Council's sound financial position. During 2011-2012 Council will review its financial strategy in line with the development of the 10 year Long Term Financial Plan, required by the Integrated Planning and Reporting Framework and determine the most appropriate and financially responsible action for future periods.

**Officer's Recommendation**

That the adjustments recommended in the Quarterly Budget Review Statement be adopted.

**Committee's Recommendation: (Hawker/Borg)**

That the Officer's Recommendation be adopted.

**CARRIED**

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**Council Meeting 5 June 2012 (Greiss/Rule)**

That the Officer's Recommendation be adopted.

**Council Resolution Minute Number 95**

That the Officer's Recommendation be adopted.

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## **4.5 Local Government Remuneration Tribunal**

### **Reporting Officer**

Manager Financial Services

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### **Attachments**

Nil

### **Purpose**

To advise Council that the Local Government Remuneration Tribunal has made a determination on the minimum and maximum fees payable to Mayors and Councillors for 2012-2013.

### **History**

The Local Government Remuneration Tribunal was established to determine the categories for councils and the fees paid to Mayors and Councillors.

In accordance with Section 241 of the *Local Government Act 1993* (the Act), the Tribunal is required to make an annual determination by no later than 1 May 2012 on the fees payable to Mayors and Councillors to take effect from 1 July 2012.

### **Report**

In accordance with Section 239 of the Act the Tribunal is required to determine the categories of councils at least once every three years. The Tribunal last undertook a fundamental review of the categories in 2009.

In November 2011 the Local Government Remuneration Tribunal wrote to all Mayors advising the commencement of the 2012 annual review. In respect to this review the Tribunal advised councils that in addition to reviewing the minimum and maximum fee levels it would undertake a fundamental review of the categories.

In response to this review the Tribunal found that no change is warranted to the existing categorisation framework, or to the current categorisation of individual councils. The Tribunal has reviewed the characteristics of each of the categories on 27 April 2012 and found that they continue to adequately reflect the differences between the various types of Councils. Campbelltown City Council is listed under the Metropolitan Centre Category (Category 1).

The Tribunal is now required to have regard to the Government's wages policy when determining the increase to apply to the minimum and maximum fees that apply to Councillors and Mayors. The public sector wages policy currently provides for a cap on increases of 2.5%.

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The Tribunal has reviewed the key economic indicators, including the Consumer Price Index and Labour Price Index, and finds that the full increase of 2.5% is warranted. Therefore pursuant to Section 241 of the *Local Government Act 1993*, the annual fees to be paid to Councillors and Mayors effective on and from 1 July 2012 are determined for Metropolitan Centre Category (Category 1) councils ranges from \$11,640 - \$21,700 p.a for Councillors and \$24,700 - \$57,660 for the position of Mayor.

It is recommended that fees for Councillors be \$21,700 and \$57,660 for the position of Mayor.

### **Officer's Recommendation**

That Council set a Mayoral allowance effective 1 July 2012 of \$57,660 and a remuneration fee of \$21,700 per annum for Councillors for the 2012-2013 financial year as recommended by the Local Government Remuneration Tribunal.

### **Committee's Recommendation: (Dobson/Chanthivong)**

That the Officer's Recommendation be adopted.

**CARRIED**

### **Council Meeting 5 June 2012 (Greiss/Rule)**

That the Officer's Recommendation be adopted.

### **Council Resolution Minute Number 95**

That the Officer's Recommendation be adopted.

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## **4.6 Reset of Loan Borrowings from 2007-2008 Loan Borrowing Program**

### **Reporting Officer**

Manager Financial Services

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### **Attachments**

Nil

### **Purpose**

To advise Council of the requirement to reset loan borrowings from the 2007-2008 Loan Borrowing Program.

### **History**

In adopting the 2007-2008 Budget, Council requested a loan allocation of \$3.5m from the Division of Local Government. At the Council meeting on 10 June 2008, Council adopted to accept the quote from the National Australia Bank to fund this loan allocation at a fixed rate for a two year period with a view to reset the borrowings at the completion of the period.

### **Report**

Due to the uncertainty of interest rates in the economic climate at the time, Council resolved that it would be more prudent to fix the loan for an initial two year period at the quoted rate of 9.04% and at the expiration of that period, market conditions could be reassessed to ensure Council was not committed to a 10 year loan at a high interest rate.

This loan came due for the initial reset on 29 June 2010 whereby the National Australia Bank was asked to provide revised indicative interest rates in order to assess the next term of renewal. Council adopted at this time to renew this loan for a further two year period at an interest rate of 7.58% with interest rates and the economy in general still showing signs of uncertainty.

This approach of periodic renewal over the ten year loan period has seen interest savings from the initial draw down in 2008, where the interest rate was 9.04%, equating to approximately \$85,000 for the four years to date.

The loan is now scheduled for renewal on 26 June 2012 and as such the National Australia Bank has again been asked to provide indicative interest rates for consideration on both a fixed and floating basis for the remaining balance of \$2.1m.

The indicative rates provided by the National Australia Bank are a fixed rate of 5.419% or a floating rate of 5.33%, with the floating rate being based on the bank bill swap rate as at 11 May 2012 of 3.7% plus an additional bank funding margin totalling 1.63%.

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In consultation with Council's Financial Advisor, Spectra Financial Services, taking into account the continuing volatility in economic conditions and uncertainty regarding interest rates, any subsequent changes in bank funding margins and their affect on floating interest rates, it is recommended that Council endorse renewing the loan for the remaining term of six years on a fixed rate.

The renewal approach taken in negotiating this loan as recommended by Council's external financial advisor in consultation with staff, has provided a successful outcome for Council. It is estimated the total interest savings over the ten year life of the loan, based on this final reset from when the loan was originally drawn down, will be in the vicinity of \$500,000.

### **Officer's Recommendation**

That Council endorse the reset of the loan with National Australia Bank for the remaining term of six years on a fixed rate of 5.419% and source a final quote on this basis prior to draw down of the funds.

### **Committee's Recommendation: (Borg/Dobson)**

That the Officer's Recommendation be adopted.

**CARRIED**

### **Council Meeting 5 June 2012 (Greiss/Rule)**

That the Officer's Recommendation be adopted.

### **Council Resolution Minute Number 95**

That the Officer's Recommendation be adopted.

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## **5. BUSINESS ASSURANCE**

### **5.1 Insurance Renewal 2012-2013**

#### **Reporting Officer**

Manager Business Assurance

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#### **Attachments**

Insurance Register 2011-2012

#### **Purpose**

To inform Council about the renewal process of the insurance policies of Council.

#### **History**

Council undertakes an annual insurance renewal process. This process is primarily managed through the insurance broker, Jardine Lloyd Thompson (JLT). In preparing for this process Council reviews the existing premium excesses and conditions to determine 'best value' for the organisation.

#### **Report**

The Attachment contains the details of each of the 2011-2012 Insurance Policies for Council operations, more specifically, the type of cover, the current insurer, the excess and premium paid.

As part of the regular insurance process Council is informed of the various insurance coverage required given the nature of the different aspects of Council's business. Due to the timing of the renewal process pricing for the 2012-2013 policies will not be available for Council consideration prior to the 30 June 2012. Council's broker Jardine Lloyd Thompson is currently obtaining quotes within the insurance market for their requirements.

Policies included in the quotation are: Councillors and Officer's Liability, Motor Vehicle, Marine Hull, Personal Accident, Workers Compensation Excess of Loss, Property, Casual Hirer's Liability, Public Liability and Professional Indemnity and Fidelity Guarantee that do not require a change in the conditions of each policy.

It is anticipated that the renewals of all policies are adequately provided for within the budget estimates for 2012-2013.

A further report to Council will detail the actual premiums and coverage details once the process has been completed.

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**Art works**

This policy covers temporary exhibitions and the permanent collection of Council, with an excess of \$2,000. The permanent collection is in the process of being re-valued by a professional valuer. At present the collection is insured for \$7.5m. At the time of preparing this report the valuation had not been completed.

**Officer's Recommendation**

1. That Council endorse the renewal of these policies falling due on 30 June 2012.
2. That a further report be presented to Council outlining the actual cost of renewals, when available.

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

That the Officer's Recommendation be adopted.

**CARRIED**

**Council Meeting 5 June 2012 (Greiss/Rule)**

That the Officer's Recommendation be adopted.

**Council Resolution Minute Number 95**

That the Officer's Recommendation be adopted.

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## ATTACHMENT 1

### Insurance Register 2011/2012

Coverage	2011/2012		
	Insurer	Excess	Premium (incl. GST)
<b>Professional Indemnity/ Public Liability</b>	Statewide	\$200,000	\$324,472.50
<b>Property</b>	Statewide	\$10,000	\$456,143.46
<b>Motor Vehicle</b>	Zurich	\$10,000	\$91,961.65
<b>Workers Compensation Excess of Loss (XOL)</b>	Liberty International Underwriters	\$1,000,000	\$31,487.50
<b>Casual Hirer's Liability</b>	Statewide	\$2,000	\$9,240.00
<b>Marine Hull</b>	Associated Marine Insurers (Zurich)	\$250	\$946.00
<b>Art Works</b>	Axa Art Ins Ltd	\$2,000	\$20,039.55
<b>Councillors' and Officers' Liability</b>	Zurich	NIL	\$52,112.50
<b>Personal Accident</b>	ACE Insurance	NIL	\$2,447.50
<b>Fidelity Guarantee</b>	Statewide	1% of claim or \$500	\$10,048.61
<b>Insurance Broker Fee</b>	Jardine Lloyd Thompson	N/A	\$60,500
		<b>Total</b>	<b>\$1,059,399.27</b>

## **5.2 Joint Select Committee on the NSW Workers Compensation Scheme**

### **Reporting Officer**

Manager Business Assurance

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### **Attachments**

Nil

### **Purpose**

To advise Council that a submission was made to the inquiry on the NSW Workers Compensation Scheme.

### **History**

The NSW Government has established a Joint Select Committee (the Committee) on the NSW Workers Compensation Scheme (the Scheme). The Committee was established to inquire and report on the performance of the Scheme, the financial sustainability of the Scheme and the functions and operations of the WorkCover Authority.

As part of the inquiry the Committee will investigate options to address the current \$4b deficit of the Scheme. Currently NSW employers pay premiums into the Scheme to fund it. Raising the premiums is not considered an acceptable solution by the Government to address the deficit. The current premium paid by Council is of the order of \$60,000.

The Committee has released an Issues Paper for comment with submissions being required by 17 May 2012.

### **Report**

The Issues Paper provided a concise assessment of the NSW Scheme against other jurisdictions across Australia, it also provided 16 options for change. The options were aimed at promoting recovery and health benefits for injured workers for returning to work, while ensuring income support and treatment for severely injured workers.

The submission made by Council supports all 16 options and highlights a number of other areas for investigation if the Committee considered them appropriate.

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### **Officer's Recommendation**

That Council notes that a submission was made to the Joint Select Committee on the NSW Workers Compensation Scheme.

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

That the Officer's Recommendation be adopted.

**CARRIED**

### **Council Meeting 5 June 2012 (Greiss/Rule)**

That the Officer's Recommendation be adopted.

### **Council Resolution Minute Number 95**

That the Officer's Recommendation be adopted.

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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 Container Deposit Scheme**

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

That a report be presented on the proposed Container Deposit Scheme outlining the current status of the scheme and the potential impacts this may have on the current recycling service provided by Council's contractor including the potential impact on costs to ratepayers through the Domestic Waste Management Charge.

**CARRIED**

#### **Council Meeting 5 June 2012 (Greiss/Rule)**

That the Officer's Recommendation be adopted.

#### **Council Resolution Minute Number 95**

That the Officer's Recommendation be adopted.

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

That the Committee in accordance with Section 10 of the *Local Government Act 1993*, move to exclude the public from the meeting during discussions on the items in the Confidential Agenda, 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.

**CARRIED**

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## **21. CONFIDENTIAL ITEMS**

### **21.1 Hollylea Road Development Potential Council Land**

#### **Reason for Confidentiality**

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

- (d) commercial information of a confidential nature that would if disclosed:
  - (ii) confer a commercial advantage on a competitor of the council.

### **21.2 Farrow Road, Campbelltown**

#### **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

There being no further business the meeting closed at 5.54pm.

G Greiss  
CHAIRPERSON

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