

# **Reports of the Corporate Governance Committee Meeting held at 5.30pm on Tuesday, 11 December 2012.**

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## **APOLOGIES**

## **ACKNOWLEDGEMENT OF LAND**

## **DECLARATIONS OF INTEREST**

### **Pecuniary Interests**

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

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

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## Minutes of the Corporate Governance Committee held on 11 December 2012

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**Present**

Her Worship the Mayor, Councillor S Dobson  
Councillor C Mead (Chairperson)  
Councillor F Borg  
Councillor A Chanthivong  
Councillor G Greiss  
Councillor P Hawker  
Councillor R Kolkman  
Councillor P Lake  
Director Business Services - Mr M Sewell  
Acting Director City Works - Mr G Mitchell  
Acting Manager Assets and Supply Services - Mr W Miller  
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 Financial Services – Mr A Butcher  
Manager Governance and Administration - Ms D Bourke  
Manager Information Management and Technology - Mr S McIlhatton  
Manager Operational Services – Mr A Davies  
Manager Property Services - Mr J Milicic  
Manager Waste and Recycling Services - Mr P Macdonald  
Executive Assistant - Mrs K Peters

**Apology** Nil.

### Acknowledgement of Land

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

### DECLARATIONS OF INTEREST

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

#### Pecuniary Interests

Nil.

#### Non Pecuniary – Significant Interests

Nil.

#### Non Pecuniary – Less than Significant Interests

Councillor Chanthivong - Item 3.1 - Review of Section 355 Management Committees - Councillor Chanthivong advised that he has met with a number of appointed Committee members.

Councillor Mead - Item 3.1 - Review of Section 355 Management Committees - Councillor Mead advised that a member of an appointed Committee is known to him.

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## **1. COMMUNICATIONS AND MARKETING**

**No reports this round**

## **2. GOVERNANCE AND ADMINISTRATION**

### **2.1 Local Government Acts Taskforce - Preliminary Ideas Paper**

#### **Reporting Officer**

Manager Governance and Administration

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#### **Attachments**

Local Government Acts Taskforce – Preliminary Ideas Submission form

#### **Purpose**

To seek Council's endorsement of the draft submission to the Local Government Acts Taskforce Preliminary Ideas Paper.

#### **History**

Council at the meeting of 13 November 2012, Corporate Governance Committee Item 2.1 – Modernisation of Local Government Legislation, considered a report concerning the establishment of the Local Government Acts (LGA) Taskforce and their review of the *Local Government Act 1993*. The LGA Taskforce was established as a result of the Destination 2036 Action Plan and has commenced consultation in preparation for the Act review.

#### **Report**

The Preliminary Ideas Paper was circulated to Council in November 2012 for consideration and feedback to inform the draft submission that is based on the five questions developed by the LGA Taskforce. Council will respond to four of the five questions with the fifth question relating to the City of Sydney. The proposed response is attached and summarised below:

1. What top five principles should underpin the content of the new Local Government Act?
    - Enabling an accountable, effective, efficient and sustainable system of Local Government
    - Flexibility to allow some level of autonomy
    - Drafted in plain English and easily understood
-

- Facilitate councils' connectivity with the community
  - Clear and consistent guidance.
2. What is currently working well in the *Local Government Act 1993*, and should it be retained in the new Act?
- Chapter 3 Council's charter
  - Chapter 6 Public land
  - Chapter 13 Strategic planning
  - Chapter 16 Street drinking.
3. Are there areas in the Local Government Act that are working well but should be moved to another Act or into Regulations, Codes or Guidelines?
- Tendering and procurement
  - Duplication between *Local Government Act 1993* and *Environmental Planning and Assessment Act 1979*
  - Honesty and disclosure of interest
  - Making and investigation of complaints
  - How are councils financed.
4. What is not working well in the *Local Government Act 1993* (barriers and weaknesses) and should either be modified or not carried forward to the new Act?
- The method of filling casual vacancies on the elected Council.

Following the conclusion of this initial stakeholder consultation, the LGA Taskforce aims to release a discussion paper in March 2013. A second round of stakeholder consultation is expected to conclude in May 2013, with Council making a further submission. The LGA Taskforce aims to have their final report to the Minister for Local Government in September 2013.

### **Officer's Recommendation**

That Council endorse the submission to the Local Government Acts Taskforce Preliminary Ideas Paper.

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

That the Officer's Recommendation be adopted.

**CARRIED**

### **Council Meeting 18 December 2012 (Mead/Lake)**

That the Officer's Recommendation be adopted.

### **Council Resolution Minute Number 225**

That the Officer's Recommendation be adopted.

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## ATTACHMENT 1

### Local Government Acts Taskforce –“Preliminary Ideas” Submission Form

<p><b>Name:</b> Paul Tosi</p>	<p><b>Title:</b> General Manager</p>	<p><b>Contact</b> Campbelltown City Council  <b>Details:</b> PO Box 57 CAMPBELLTOWN NSW 2560</p>
<p><b>Question</b></p>	<p><b>Response</b></p>	
<p>i) What top 5 Principles should underpin the content of the new Local Government Act and the City of Sydney Act?</p>	<p>1. The Local Government Act should prescribe the framework in which a local government is constituted and the nature and extent of its responsibilities and powers; enabling a system of local government that is accountable, effective, efficient and sustainable.</p> <p>2. The legislation should be flexible enough to allow councils some level of autonomy. This flexibility should provide councils with the ability to apply the legislation to their unique local government area composition, their individual community's profile, and the specific resources needed to sustainably address the community's requirements.</p> <p>3. Drafting the legislation in plain English will make the law easy to understand. The legislation should be written in a way that does not require a legal practitioner to interpret, with a sound balance struck between precision and simplicity.</p> <p>4. The Act should facilitate councils' connectivity with the community as innovative service providers and custodians of public assets.</p> <p>5. The legislation should be a clear and consistent guide to roles and responsibilities and enable strong engagement with other levels of government.</p>	
<p>ii) What is currently working well in the Local Government Act and why, and should it be retained in the new Act?</p>	<p>What is working well in the Act (strengths)?</p> <ol style="list-style-type: none"> <li>1. Chapter 3 <i>What is council's charter</i></li>   <li>2. Chapter 6 Part 2 <i>Public land</i></li>   <li>3. Chapter 13 Part 2 <i>Strategic planning</i></li> </ol>	<p>Why?</p> <p>The charter is a set of guiding principles that describe the nature and extent of responsibilities and considerations for councils to carry out their functions. The charter should be retained in the Act.</p> <p>Chapter 6, providing guidance on the acquisition, use and management of community land should be retained in the Act.</p> <p>Sections 402 to 406 around strategic planning and the integrated planning and reporting framework are sufficiently interpretive, allow interactions with other</p>

**Local Government Acts Taskforce –“Preliminary Ideas” Submission Form**

	<p>documents and have provided a community focus to the business planning process. Whilst its inclusion in the Act is viewed as a positive, the practical application of the existing prescriptive requirements will potentially not be realised until the broader issues associated with responsibilities across the three levels of government are clearly defined.</p> <p>Sections 642 to 648 provide clear guidance around the establishment of alcohol free zones and accompanying operational and enforcement activities.</p>	<p>4. Chapter 16 Part 4 <i>Street drinking</i></p>
<p>iii) Are there areas in the Local Government Act that should be removed to another Act or into Regulations, Codes or Guidelines?                  What are they and how should they be dealt with?</p>	<p><b>Chapter 6 <i>Tendering</i></b>                  As the procurement and tendering requirements for Local Government mirror those required by other tiers of government, it is recommended that references to such processes within the Act and Regulations be removed and replaced with a reference to appropriate State Government legislation. Additionally, tendering provisions should to be updated to reflect development in technology and the use of web-based advertising in lieu of newspapers.</p> <p><b>Chapter 6 <i>Classification and reclassification of public land</i></b>                  The duplication between the <i>Environmental Planning and Assessment Act 1979</i> and the <i>Local Government Act 1993</i> requires resolution; public land controls could be its own piece of legislation with all other legislative controls from other Acts. Additionally, some of the Sections within the current Act are confusing. Further, the role of the Joint Regional Planning Panel in State significant development is an unreasonable reduction in the authority of locally elected representatives.</p> <p><b>Chapter 14 <i>Honesty and disclosure of interests</i></b>                  The obligations placed on councillors, council delegates and staff within Chapter 14 of the Act supports strong governance practices within the sector. Council supports the inclusion of such requirements; however, this may be better dealt with via the <i>Independent Commission Against Corruption Act 1988</i>.</p> <p><b>Chapter 14 <i>Making and investigation of complaints</i></b>                  The provisions under this Division may be better placed within the <i>Ombudsman Act 1974</i>.</p>	<p>4. Chapter 16 Part 4 <i>Street drinking</i></p>

**Local Government Acts Taskforce – “Preliminary Ideas” Submission Form**

	<p>Chapter 15 <i>How are councils financed</i>                  Chapter 15 provides robust guidelines around how councils are financed and prescribes in detail the making and collection of rates and charges. This guidance should be retained; however it is recommended that it is removed from the Act and included as a piece of subordinate legislation such as Regulation.</p>
<p>iv) What is not working well in the Local Government Act (barriers or weaknesses)?</p>	<p>What is not working well in the Act?</p> <p>Chapter 10 <i>How are people elected to civic office?</i></p>
<p>Do you have any other suggestions or comments that might aid the Acts Review?</p>	<p>Why not?</p> <p>It is recommended that this Chapter becomes a Regulation under the revised Act. The Regulation should be as consistent with the <i>Parliamentary Electorates and Elections Act 1912</i> as practicable and offer an alternate, more economical method to relieve the financial burden of by-elections required when casual vacancies arise (Part 5 of the Chapter).</p> <p>The revised Act should ensure efficient and effective administration within the Local Government sector. The Act should be drafted as a strategic framework with enforceable provisions moved to Regulations or guidelines.</p>

## **2.2 2012 Local Government Conference**

### **Reporting Officer**

Manager Governance and Administration

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### **Attachments**

Nil

### **Purpose**

To report on the recent Local Government Association Conference 2012.

### **Report**

The 2012 Local Government Association Conference was held in Dubbo on 28-30 October.

The Conference is the pre-eminent event of the NSW Local Government year where Councillors come together to share ideas and debate issues contained within the Conference Business Paper Agenda.

This year more than 600 council delegates from across NSW considered nearly 100 motions.

The motion submitted by Council seeking the Local Government Association to consider establishing a Reserve Fund for legal costs to assist member councils in defending matters before the Court was Carried.

The conference afforded member councils of the Local Government Association the opportunity to help set the policy direction and highlight issues of major concern to them before the two associations form a single united voice.

Given the number of reviews currently under way, which will undoubtedly have a significant impact on the NSW Local Government sector, the 2012 Conference was an excellent opportunity for councillors and staff to hear from and speak with Ministers and independent experts whose recommendations have the potential to dramatically alter how councils operate and function.

Delegates to the 2012 Conference heard from a range of specialist keynote speakers including:

- the Hon Don Page MP - Minister for Local Government
  - the Hon Brad Hazzard MP - Minister for Planning and Infrastructure, - The New Planning System for New South Wales - Green Paper
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- Mr Peter McKinlay - Director Local Government Centre, Institute of Public Policy, AUT University, Auckland - Supporting Strong Economic Management
- The three person independent Local Government Review panel chaired by Professor Graham Sansom.

The 2012 Local Government Conference at Dubbo was a successful event and should be noted that the One Association will be implemented in early 2013. A combined conference will be held with the most likely venue being the City of Sydney. Further information on the conference can be obtained on the local government website.

### **Officer's Recommendation**

That the information be noted.

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

That the Officer's Recommendation be adopted.

**CARRIED**

### **Council Meeting 18 December 2012 (Mead/Lake)**

That the Officer's Recommendation be adopted.

### **Council Resolution Minute Number 225**

That the Officer's Recommendation be adopted.

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## **2.3 Delegation of Authority - Christmas/New Year Recess 2012-2013**

### **Reporting Officer**

Manager Governance and Administration

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### **Attachments**

Nil

### **Purpose**

To seek Delegated Authority for the Mayor and General Manager or their nominees to conduct urgent business of Council during the Christmas/New Year recess of Council.

### **Report**

Council has adopted meeting calendars for 2012 and 2013. The last formal meeting for 2012 will be on 18 December 2012 with Committees being reconvened on 19 February 2013. It is intended that briefing evenings will be held on 5 and 12 February 2013.

During the recess period the Mayor and General Manager, or their nominees will require delegated authority to conduct any urgent affairs of Council as required.

It is recommended that the Mayor and General Manager or their nominees be delegated authority to conduct urgent business of Council during the recess period from 19 December 2012 to 4 February 2013.

### **Officer's Recommendation**

That the Mayor and General Manager or their nominees be delegated authority to conduct urgent business of Council during the recess period from 19 December 2012 to 4 February 2013.

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

That the Officer's Recommendation be adopted.

### **CARRIED**

### **Council Meeting 18 December 2012 (Mead/Lake)**

That the Officer's Recommendation be adopted.

### **Council Resolution Minute Number 225**

That the Officer's Recommendation be adopted.

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### **3. PROPERTY SERVICES**

#### **3.1 Review of Section 355 Management Committees**

##### **Reporting Officer**

Manager Property Services

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##### **Attachments**

Nil

##### **Purpose**

To advise Council that a review of the management of Council facilities by Section 355 Community Management Committees is currently being undertaken and that a further report will be provided to Council early in 2013.

##### **History**

For many years, Council has implemented a system of community based Management Committees for the operation of several neighbourhood centres and community halls. The *Local Government Act 1993* (Section 355) empowers Council to establish such Committees and delegate authorities to these Committees to exercise various functions of Council.

Section 355 Management Committees provide a mechanism whereby residents have the opportunity to contribute and participate in the management of community facilities and services.

Management Committees are generally appointed for the term of the Council (four years). Committees should be re-advertised and should Council wish, be re-appointed following the election of Council. All current members of Committees are eligible for re-appointment.

##### **Report**

Council currently has a number of Section 355 Committees some of which are a carryover of the previous *Local Government Act 1919* and also a number of groups which applied to an Expression of Interest process undertaken by Council in 2006.

It is now considered an appropriate time to conduct a review into the effectiveness of this method of managing these facilities.

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Listed below are the Halls currently managed by Committees (6):

Bow Bowing Neighbourhood Centre	Ashrafal Madaaris Incorporated	10 Carnarvon Street, Bow Bowing
Eagle Vale Neighbourhood Centre		3 Emerald Drive, Eagle Vale
Glenquarie Neighbourhood Centre	The Junction Works Limited	Victoria Road, Macquarie Fields
Macquarie Fields Community Hall	Bangladesh Welfare Society Campbelltown Incorporated	5 Fields Road, Macquarie Fields
Minto Community Hall	NSW Council for Pacific Communities	4 Surrey Street, Minto
Woodbine Neighbourhood Centre		North Steyne Road, Woodbine

As stated above, Council delegates to the Committees authority to act on behalf of Council in order to manage the facility. It is important to note that duly appointed Committees, in fulfilling their delegated responsibility, are acting as, and on behalf of, Council.

The various responsibilities of each Committee include, but are not limited to, financial management, control of hall bookings, cleaning, maintenance of the asset, insurance matters, work health and safety requirements and pecuniary interest.

#### **Current review situation**

As part of the process to advertise for new Committees to coincide with the new Council term a review of the exiting Committees is currently being undertaken.

There are specific financial records which must be kept by each Committee with the documentation to be submitted to Council on an annual basis for auditing, recording and reporting purposes.

As part of the initial stage of the review, Council contacted each of the Committees in July 2012 and called for copies of the financial records including Income Statement, Statement of Financial Position (Balance Sheet) and the Audit of Account as required. Also requested was a copy of the Annual Budget for the coming financial year. To date, five of the Committees have complied to some degree with the request with follow up letters also issued.

Despite this follow up, all records have still not been received. Of those complying, the quality of the information provided varies greatly and has made the review process difficult.

The major financial reporting issues arising from the review to date, are the timeliness of submission of the records, the lack of uniformity of collecting and itemising data and the proper recording and allocation of the funds held by the Committees.

Until such time as a complete return of all Committee financial records are obtained, Council is unable to obtain a clear picture of the financial position of each Committee and to form an opinion as to the successful financial operation of the Management Committee system or otherwise. It will now be necessary for Council to continue to liaise with each Committee to obtain the balance of the required financial information.

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Council staff have met with representatives of all Committees to discuss the operation and nature of activities being conducted at the Halls. In particular hall usage, booking procedures and building maintenance issues. While these meetings have been productive, it has highlighted several long term issues of an operational nature, as well as financial that require further investigation.

### **Work health and safety responsibilities**

Due to recent changes in workplace health and safety legislation coming into force on 1 January 2012 and the ongoing financial reporting obligations, Council and the Committees are now subject to increasing exposure to audit and liability over a range of issues. These changes represent significant changes to the previous Occupational Health and Safety structure and greater burden on Council and the Committees. The *Work Health and Safety Act 2011*, imposes far greater proactive responsibilities on Council and the Committees to ensure the protection of persons from harm to the health, safety and welfare through the elimination or minimisation of risk.

This applies particularly to members of Committees as volunteers and to users of Council facilities. The Act also provides for personal liability in certain circumstances and Council will continue to be exposed as owner of the facility.

### **Summary**

Following the Council election in September, it is timely to carry out a comprehensive review of the operation of the Management Committees. Over the years, the Section 355 Management Committee system has operated with varying degrees of success. While the Committees are to a certain degree self-sufficient, the Committees are required to be accountable for the detailed operation of each facility.

Despite Council's endeavours to discuss matters with individual Committee representatives, many issues remain as to the precise administrative and financial operation of some facilities and Council's exposure to liability.

In this respect additional details have been requested from the majority of the Section 355 Committees to enable to make a fully informed recommendation to Council in respect to the future management of these facilities.

On this basis, the review will be ongoing with a Councillor briefing session to be scheduled in early 2013 and a further report to Council on the outcomes of the review.

### **Officer's Recommendation**

1. That the information be noted.
  2. That upon completion of a review of the management and operation of Council facilities by Section 355 Management Committees that a further report be submitted to Council.
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**Committee's Recommendation: (Lake/Kolkman)**

That the Officer's Recommendation be adopted.

**CARRIED**

**Council Meeting 18 December 2012 (Mead/Lake)**

That the Officer's Recommendation be adopted.

**Council Resolution Minute Number 225**

That the Officer's Recommendation be adopted.

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## **4. FINANCIAL SERVICES**

### **4.1 Monthly Rates Summary - October 2012**

#### **Reporting Officer**

Manager Financial Services

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#### **Attachments**

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

#### **Purpose**

This report details the 2012-2013 Rates and Charges Levy and cash collections for the month ending 31 October 2012.

#### **Report**

The annual rates and charges levied for the period ending 31 October 2012 totalled \$80,101,354, representing 99% of the estimated budget for the year.

Rates and charges collected to the end of October totalled \$29,708,800. In percentage terms this amount represents 35.9% of all rates and charges due to be paid. In comparison, the amount collected in the same period last year was 36.1%.

The November quarterly instalment notices were issued during the month to 47,028 ratepayers representing a decrease of 502 from the 47,560 issued last year. A Festival of Fisher's Ghost information leaflet was included with the instalment mail out reminding property owners of the festival together with a list of the major events.

Debt recovery action during the month involved the issue of 233 Statements of Claim to ratepayers who had either failed to maintain arrangements or had not responded to previous correspondence. In addition, 17 matters escalated to Judgement and 12 Writs were served on defaulting payers previously served with a Statement of Claim.

Ratepayers who have recently purchased property and not received an instalment notice are issued a 'Notice to New Owner' letter. This letter advises ratepayers of the annual amount levied and any balance unpaid since settlement occurred. During October, 63 of these notices were sent to ratepayers.

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**Officer's Recommendation**

That the information be noted.

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

That the Officer's Recommendation be adopted.

**CARRIED**

**Council Meeting 18 December 2012 (Mead/Lake)**

That the Officer's Recommendation be adopted.

**Council Resolution Minute Number 225**

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 1/7/2012	NET LEVY FOR YEAR	PENSION REBATES	EXTRA CHARGES	TOTAL RECEIVABLE	CASH COLLECTED	NET AMOUNT DUE	POSTPONED RATES & INTEREST	GROSS AMOUNT DUE
RESIDENTIAL	2,584,300.01	44,843,316.07	1,279,279.71	318,307.91	46,466,644.28	16,222,394.28	30,244,250.00	315,063.97	30,559,313.97
BUSINESS	648,124.82	15,102,270.25		40,021.76	15,790,416.83	6,055,715.39	9,734,701.44		9,734,701.44
BUSINESS - IND	14,953.93	0.00		128.77	15,082.70	9,039.53	6,043.17		6,043.17
FARMLAND	-10,530.04	370,453.95	876.56	222.31	359,269.66	122,923.59	236,346.07	157,114.90	393,460.97
MINING	0.00	13,422.10		0.00	13,422.10	13,422.10	0.00		0.00
LOAN	244,319.52	4,187,774.64		7,280.91	4,439,375.07	1,567,015.82	2,872,359.25	46,882.26	2,919,241.51
F5 ACCESS RAMPS	2,080.90	0.00		19.37	2,100.27	1,087.98	1,012.29		1,012.29
MAIN STREET	40.12	0.00		0.00	40.12	0.00	40.12		40.12
<b>TOTAL</b>	<b>\$3,483,289.26</b>	<b>\$64,517,237.01</b>	<b>\$1,280,156.27</b>	<b>\$365,981.03</b>	<b>\$67,086,351.03</b>	<b>\$23,991,598.69</b>	<b>\$43,094,752.34</b>	<b>\$519,061.13</b>	<b>\$43,613,813.47</b>
GARBAGE	694,369.27	15,088,235.78	420,012.59	16,948.73	15,379,541.19	5,376,493.55	10,003,047.64		10,003,047.64
SANITARY	0.00	0.00		0.00	0.00	0.00	0.00		0.00
STORMWATER	53,851.29	890,972.11		975.33	945,798.73	340,707.86	605,090.87		605,090.87
<b>GRAND TOTAL</b>	<b>\$4,231,509.82</b>	<b>\$80,496,444.90</b>	<b>\$1,700,168.86</b>	<b>\$383,905.09</b>	<b>\$83,411,690.95</b>	<b>\$29,708,800.10</b>	<b>\$53,702,890.85</b>	<b>\$519,061.13</b>	<b>\$54,221,951.98</b>

Total from Rates Financial Transaction Summary	53,981,929.15
Overpayments	-240,022.83
Difference	0.00

## ANALYSIS OF RECOVERY ACTION

Rate accounts greater than 6 months less than 12 months in arrears	895,695.21
Rate accounts greater than 12 months less than 18 months in arrears	212,400.39
Rate accounts greater than 18 months in arrears	37,058.82
<b>TOTAL rates and charges under instruction with Councils agents</b>	<b>\$1,145,154.42</b>

## ATTACHMENT 2

### COMPARISON OF BUDGET TO ACTUAL

DESCRIPTION	ORIGINAL BUDGET	REVISED BUDGET	ACTUAL	BALANCE STILL RECD.	% RAISED
RESIDENTIAL	44,722,100	44,722,100	44,843,316	(121,216)	100.27%
BUSINESS	14,996,800	14,996,800	15,102,270	(105,470)	100.70%
FARMLAND	403,500	403,500	370,454	33,046	91.81%
MINING	13,400	13,400	13,422	(22)	100.16%
LOAN	4,184,500	4,184,500	4,187,775	(3,275)	100.08%
<b>TOTALS</b>	<b>64,320,300</b>	<b>64,320,300</b>	<b>64,517,237</b>	<b>(196,937)</b>	<b>100.31%</b>
INTEREST CHARGES	306,100	306,100	104,315	201,785	34.08%
LEGAL COSTS RECOVERED	950,000	950,000	265,670	684,330	27.97%
PENSIONERS - Sec 575	(1,690,000)	(1,690,000)	(1,700,169)	10,169	100.60%
PENSIONERS SUBSIDY	929,500	929,500	935,093	(5,593)	100.60%
<b>SUB TOTAL</b>	<b>64,815,900</b>	<b>64,815,900</b>	<b>64,122,146</b>	<b>693,754</b>	<b>98.93%</b>
DOMESTIC WASTE CHARGES	14,825,000	14,825,000	14,705,921	119,079	99.20%
COMMERCIAL WASTE CHARGES	322,400	322,400	382,315	(59,915)	118.58%
SANITARY INCOME	1,000	1,000	0	1,000	0.00%
STORMWATER MNGMNT	882,000	882,000	890,972	(8,972)	101.02%
<b>GRAND TOTALS</b>	<b>80,846,300</b>	<b>80,846,300</b>	<b>80,101,354</b>	<b>744,946</b>	<b>99.08%</b>
<b>COLLECTIONS AS A % OF:</b>					
RESIDENTIAL	TOTAL RECEIVABLE	TOTAL LEVIED	TOTAL RECEIVABLE	TOTAL LEVIED	
BUSINESS	34.91%	36.18%	RATES	35.76%	37.19%
FARMLAND	38.35%	40.10%	SANITARY	0.00%	0.00%
LOAN	34.21%	33.18%	STORMWATER	36.02%	38.24%
	35.30%	37.42%	<b>TOTAL RATES &amp; CHARGES</b>	<b>35.90%</b>	<b>37.21%</b>



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## 4.2 Investment report - October 2012

### Reporting Officer

Acting Manager Financial Services

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### Attachments

Investment Portfolio Performance as at 31 October 2012

### Purpose

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

### Report

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

Council's Investment Portfolio as at 31 October 2012 stood at approximately \$85m. Funds are currently being managed both by Council staff and Fund Managers and are in accordance with the *Local Government Act 1993*, *Local Government (General) Regulation 2005* and Council's Investment Policy.

### 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	4.93%	.42%
Benchmark: 90 Day Bank Bill Index	3.56%	.30%

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 12 months.

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<b>Rolling Year to Date Return</b>	<b>October</b>
Council Managed Funds	5.48%
Benchmark: 90 Day Bank Bill Index	4.15%

Council's portfolio as at 31 October 2012 is diversified with 70% in term deposits of varying lengths of maturity which are managed in accordance with market expectations and Council's investment strategy, 22% in floating rate notes which 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 a National Australia Bank offset facility which expires in 2014.

<b>Duration Profile</b>	<b>October</b>
Short Term at Call	\$1,138,626
1 – 3 Months	\$0
3 – 6 Months	\$36,214,860
6 – 12 Months	\$17,728,472
12 Months +	\$29,454,065

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

<b>Credit Exposure</b>	<b>October</b>
AAA to AA-	82%
A+ to A	11%
A- to BBB-	7%
Other Approved Deposit Taking Institutions	0%

### **Economic Outlook**

The Reserve Bank of Australia Board (RBA) reduced the cash rate by 25 basis points to 3% when it met on 4 December 2012 citing indicators that suggest growth continues to run close to trend. This is largely led by increases in capital expenditure in the resources sector and although recent outcomes on inflation were higher than expected, the measure of around 2.5% over the year to September, are consistent with the medium term target. Looking ahead, recent data confirms that the peak in resource investment is approaching and as it does there will be more scope for some other areas of demand to strengthen.

### **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: (Borg/Dobson)**

That the Officer's Recommendation be adopted.

**CARRIED**

**Council Meeting 18 December 2012 (Mead/Lake)**

That the Officer's Recommendation be adopted.

**Council Resolution Minute Number 225**

That the Officer's Recommendation be adopted.

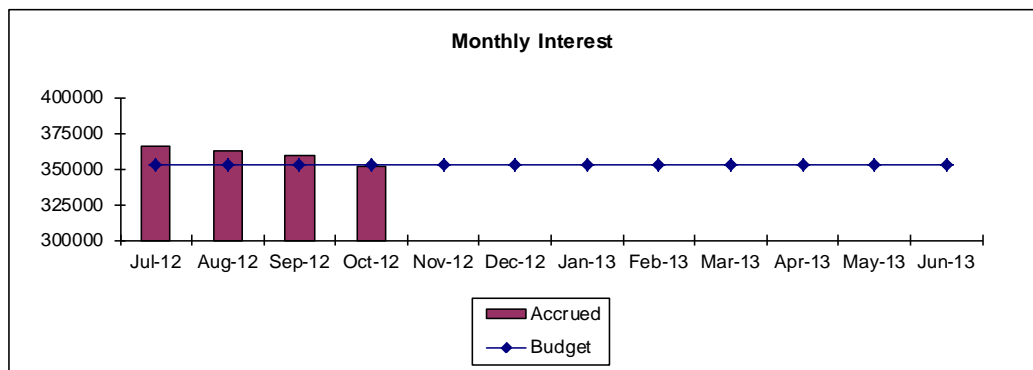
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# ATTACHMENT 1

## CAMPBELLTOWN CITY COUNCIL INVESTMENT PORTFOLIO Summary October 2012

Benchmark UBS Warburg 90 Day Bank Bill Index  
 Portfolio Balance \$84,536,023.98

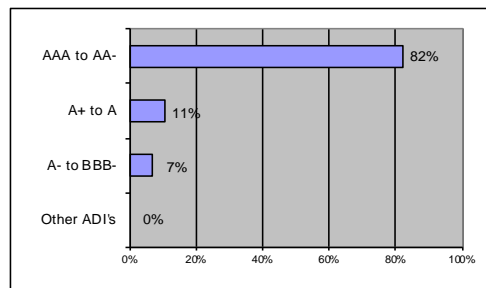
Monthly Performance	Return (mth)	Return (pa)
UBSW 90 Bank Bill Index	0.30%	3.56%
Total Portfolio	0.42%	4.91%
<i>Performance to Benchmark</i>	+ 0.11%	+ 1.35%
Portfolio - Direct Investments	0.42%	4.93%
<i>Performance to Benchmark</i>	+ 0.12%	+ 1.37%
Short Term Call Account	0.31%	3.65%



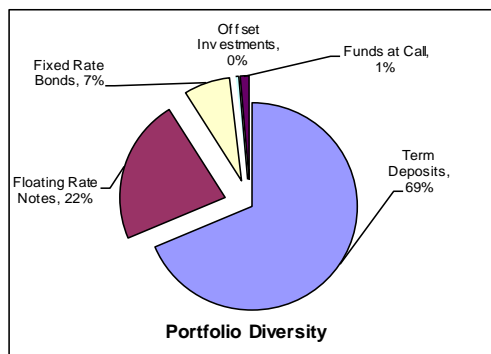
### Year to Date Performance Credit Exposure

Rolling 12 Month Period  
 5.48% Council Managed Funds  
 4.15% Benchmark

Interest Budget to Actual  
 Budget to Period \$1,412,500  
 Accrued to Period \$1,438,358



### Securities Institutions



	Amount Invested	% Portfolio
Funds at Call	\$ 1,138,626.05	1%
Suncorp Metway	\$ 9,054,065.75	11%
National Australia Bank	\$ 11,564,567.87	14%
ANZ Bank	\$ 3,500,000.00	4%
NSW Treasury	\$ 4,250,000.00	5%
Westpac Bank	\$ 18,263,711.95	22%
St George Bank	\$ 8,520,407.57	10%
Commonwealth Bank	\$ 12,500,000.00	15%
Bank Western Australia	\$ 9,744,644.79	12%
Bendigo/Adelaide Bank	\$ 3,000,000.00	4%
Bank of Queensland	\$ 3,000,000.00	4%
<b>Total</b>	<b>\$84,536,023.98</b>	<b>100%</b>

## **4.3 Revised Policy - Rate Recovery Procedures**

### **Reporting Officer**

Acting Manager Financial Services

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### **Attachments**

Revised Rate Recovery Procedures Policy

### **Purpose**

To seek Council's endorsement of the revised Rate Recovery Procedures Policy.

### **History**

The abovementioned policy was adopted by Council on 15 March 1977, was last reviewed on 10 May 2011 and is now due for review in accordance with the Records and Document Management Policy.

### **Report**

The abovementioned policy has been reviewed in accordance with Council's Record Management Policy and the adopted procedure for Policy Development and Review.

Further detail has been included within the policy to provide clarification of the procedures Council undertakes regarding the recovery of unpaid land rates and charges. Additional definitions have also been included as well as minor administrative amendments. All changes made to the policy have been highlighted in the attachment.

Debt recovery processes are only undertaken when all other avenues to recover past dues have not been successful. Officers regularly contact ratepayers encouraging them to make suitable arrangements to clear their debt.

It is therefore recommended that the revised Rate Recovery Procedures Policy as attached to the report be adopted.

### **Officer's Recommendation**

1. That the revised Rate Recovery Procedures Policy as attached to this report be adopted.
  2. That the Policy review date be set at 30 April 2015.
-



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

That the Officer's Recommendation be adopted.

**CARRIED**

**Council Meeting 18 December 2012 (Mead/Lake)**


That the Officer's Recommendation be adopted.

**Council Resolution Minute Number 225**

That the Officer's Recommendation be adopted.

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## ATTACHMENT 1

		<b>POLICY</b>
Policy Title	Rate Recovery Procedures	
Related Documentation	Sundry Debtors Recovery Policy Hardship Policy	
Relevant Legislation/ Corporate Plan	<i>Local Government Act 1993</i> <i>Civil Procedure Act 2005</i> <i>Corporations Act 2001</i>	
Responsible Officer	Manager Financial Services	

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

### Objectives

To ensure the efficient and prompt recovery of all outstanding rates and charges from ratepayers.

### Policy Statement

#### 1. Issue of Original Rate Notice

Under the *Local Government Act 1993* rates are due in full on 31 August or as quarterly instalments. The due dates for each quarter are 31 August, 30 November, 28 February and 31 May each year. A ratepayer may approach Council and seek an arrangement to finalise the rate account. It must be stressed that recovery action will only apply to those ratepayers who have not made arrangements to finalise their rates, or who have defaulted on an existing arrangement.

#### 2. One Week After Instalment Due Date

- a) Issue missed instalment notices on assessments with the current quarter rates owing and/or arrears with a combined total not exceeding \$500.00.
- b) Issue of a 7 day letter notifying the commencement of legal action where the arrears of rates and charges exceeds \$500.00.
- c) In respect to (b) only, instructions to Council's agents be given to issue a second 7 day letter where two or more full instalments remain outstanding and the balance exceeds \$500.00.

**Note:** Legal action will result in the issue of a Statement of Claim.

#### 3. Arrangements to Pay

DATA AND DOCUMENT CONTROL		
Division: Business Services Section: Financial Services DW:1555268	Adopted Date: 15/3/77 Revised Date: 10/5/11 Minute Number: 84 Review Date: 11/4/13	Page: 1 of 3 Print Date:

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**Campbelltown City Council**

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- a) All arrangements to pay outstanding rates are to be considered upon receipt of a request made in writing. Acceptable arrangements will be determined subject to all outstanding rates and charges being finalised within six months of the date of debt.
- b) Acknowledgment accepting the terms of arrangement be issued, confirming due dates and amounts agreed to be paid.

A default of payment arrangements shall be referred to legal recovery unless an alternative arrangement has been received prior to the date of payment as determined in point (b).

**4. Further Action**

- a) If ratepayers fail to respond to the letters of demand a Statement of Claim is registered and served. Defaulters have a period of 28 days to defend the Statement of Claim, if they are unsuccessful or fail to lodge a defence Judgment is obtained and actioned in the form of either a Garnishee Order, Examination Order or Writ.
- b) When rates have been outstanding on a property for a period of five years, Council may take action under Section 713 of the *Local Government Act 1993* to offer the property for sale at public auction in order to recover the outstanding rates.

**5. Additional Action in Respect of Companies and Rented Premises**

- a) Where companies continue to default after judgment is obtained, it is considered that action for the winding up of companies under Section 459 of the *Corporations Act 2001* should be contemplated. At this stage the matter be placed in the hands of Council's recovery agents.
- b) In appropriate circumstances, take action under Section 569 (2) of the *Local Government Act 1993* to serve notice upon a person in occupation of the land and demand that, as the rent falls due, it be paid to Council in liquidation of the amount of rate arrears. This is a valid discharge of the tenant's liability for rent.

**Scope**

This policy will be relevant to all ratepayers within the Local Government Area. It is anticipated to have a direct impact on less than 5,000 ratepayers

**Definitions**

Arrangement	An agreement accepted by Council or its agents to repay a debt within a specific period of time.
Court Instalment Order	Enforceable arrangement granted to the debtor by the court.
Examination Notice	Notice issued by recovery agent to ascertain debtor's financial affairs and negotiate a suitable payment arrangement.
Examination Order	Court issued order to have their financial affairs "examined" in the presence of a court official for the purposes of determining their capacity to make payments.
Garnishee Judgment	Court order to withhold funds from a debtors wage or bank account. Court issued statement acknowledging the debt recorded against the debtor.
Statement of Claim	Court issued document defining the amount due and the debt that is due to be paid. Debtors have 28 days from being served this document to lodge a defence.
Warrant	Enforceable arrest warrant issued by the court for Sheriffs' Office to arrest and present debtor to Registrar for examination.

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**Campbelltown City Council**

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Writ Court issued document identifying goods to be sold in order to liquidate the judgment debt.

**Legislative Context**

The following Sections of the *Local Government Act 1993* are included and influenced by this policy:

Section 562, Section 564, Section 569, Section 712 and Section 713.

The following legislation is referred to during critical points of the recovery process:

*Civil Procedure Act 2005* and  
*Corporations Act 2001*

**Principles**

The Manager Financial Services will be responsible for administering the principles and that appropriate steps are taken to maintain a level of confidentiality with data supplied for the purposes of conducting a fair and equitable assessment.

**Responsibility**

The Manager Financial Services may delegate responsibility to the Revenue Accountant to ensure proper procedural documentation is maintained at a level satisfactory to Council and relevant legislation.

**Effectiveness of this Policy**

Key performance Indicators

- maintain or reduce unpaid rates and charges at a level considered acceptable to Council, no greater than 5%
- Monitor and report on the trends that emerge in defaulting ratepayer patterns.

**END OF POLICY STATEMENT**

**DOCUMENT HISTORY AND VERSION CONTROL RECORD**

**Contact for inquiries and proposed changes**

<b>Name</b>	Corinne Mears
<b>Position/Section</b>	Manager Financial Services
<b>Contact Number</b>	4645 4695

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

## **4.4 Revised Policy - Overhead Charges Applicable to Private Works**

### **Reporting Officer**

Acting Manager Financial Services

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### **Attachments**

Overhead Charges Applicable to Private Works Policy

### **Purpose**

To seek Council's endorsement of the revised Overhead Charges Applicable to Private Works Policy.

### **History**

This policy was adopted by Council on 18 April 1989 and is now due for review in accordance with the Records and Document Management Policy.

### **Report**

The abovementioned policy has been reviewed in accordance with Council's Record Management Policy and the adopted procedure for Policy Development and Review.

Council staff perform many restoration and property maintenance works on a regular basis. These works may be required for one of many different reasons and consist of, but are not limited to, one or more of the following:

1. Road restoration – Only Council and the Roads and Maritime Services have the power to direct works to be undertaken or perform works on public roads. On occasion, repair works are required due to catastrophic failure of water and gas mains or trench access is required across a road or footpath.
2. Grass cutting – Council currently performs mowing along some main roads on behalf of the Roads and Maritime Services and also maintains open space for Housing NSW.
3. Accident damage – In the event of a motor vehicle accident resulting in damage to roadside infrastructure the costs of repairs are recoverable. The vehicle owner and driver are jointly liable to pay these costs to Council. In most cases the owner and the driver are the same person. This includes fuel and or loss of load spillages.

Council's on-costs have been calculated according to the following:

1. 12% added to the net cost of the work in order to recover the administration and project management overheads.
-

All materials for works undertaken by Council are billed at cost plus an additional 12% representing the administration overhead incurred in sourcing, transporting and procuring any relevant materials required.

This on-cost calculation also provides for the billing and recovery costs incurred in the recovery of the amounts due.

2. 30% added to the wages component of the work in order to recover the wages overhead.

The wages overhead is calculated according to the following:

Superannuation	9%
Workers compensation	6%
Employee Leave Entitlements	15%
Total	<u>30%</u>

The Overhead Charges Applicable to Private Works Policy has been reviewed and it is recommended that the Policy as attached to this report be retained as it currently exists.

### **Officer's Recommendation**

1. That the revised Overhead Charges Applicable to Private Works Policy as attached to this report be adopted.
2. That the Policy review date be set at 30 March 2014.

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

That the Officer's Recommendation be adopted.

### **CARRIED**

### **Council Meeting 18 December 2012 (Mead/Lake)**


That the Officer's Recommendation be adopted.

### **Council Resolution Minute Number 225**

That the Officer's Recommendation be adopted.

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## ATTACHMENT 1

		<b>POLICY</b>	
Policy Title	Overhead Charges Applicable To Private Works		
Relevant Legislation/ Corporate Plan	<i>Local Government Act 1993</i> <i>Roads Act 1993</i>		
Responsible Officer	Manager Financial Services		

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

### Objectives

To ensure the recovery of Council's overhead costs when conducting works on behalf of private organisations.

### Policy Statement

That Council's on-cost rates by works be amended as follows:

1. 12% of the total cost of the job be added in order to recover the administration and project management overheads.
2. 30% be added to the wages component of the work in order to recover the wages overhead costs.

### Scope

This policy applies to the recovery of overhead costs incurred for all works carried out by Council staff and/or it's contractors following a request from the private organisation or as a need identified by Council to ensure public safety.

### Definitions

Nil

### Legislative Context

*Local Government Act 1993 and Roads Act 1993.*

### Principles

The Manager Financial Services will be responsible for administering the principles and that appropriate steps are taken to ensure that on-costs are recovered on matters relating to private works carried out by Council.

DATA AND DOCUMENT CONTROL		
<b>Division:</b> Business Services <b>Section:</b> Financial Services <b>DW:</b> 1555276	<b>Adopted Date:</b> 18/4/89 <b>Revised Date:</b> 31/05/11 <b>Minute Number:</b> 99 <b>Review Date:</b> 30/03/13	<b>Page:</b> 1 of 2 <b>Print Date:</b>

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**Campbelltown City Council**

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**Responsibility**

The Manager Financial Services may delegate their responsibility to the Revenue Accountant to ensure proper procedural documentation is maintained at a level satisfactory to Council and relevant legislation.

**Effectiveness of this Policy**

Key performance indicators:

1. Proper documentation is retained in support of the amount claimed.
2. All costs are recovered in an efficient and timely manner.

**END OF POLICY STATEMENT**

**DOCUMENT HISTORY AND VERSION CONTROL RECORD**

**Contact for inquiries and proposed changes**

<b>Name</b>	Corinne Mears
<b>Position/Section</b>	Manager Financial Services
<b>Contact Number</b>	4645 4695

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

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<b>DATA AND DOCUMENT CONTROL</b>		
DW:1555276	Page: 2 of 2	Print Date:

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## 4.5 2012-2013 Loan Borrowing Allocation

### Reporting Officer

Acting Manager Financial Services

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### Attachments

Nil

### Purpose

To seek Council's endorsement to enter into a loan contract with a recommended financial institution in accordance with the borrowing limit as adopted in Council's Management Plan.

### History

Council borrows funds in accordance with the *Local Government Act 1993* to provide funding for the capital works program as determined by the budget process. Councils are required to advise the Chief Executive, Local Government of amounts borrowed in accordance with Clause 230 of the *Local Government (General) Regulation 2005*.

### Report

Council in adopting the 2012-2013 Budget requested a loan allocation of \$5m with the associated repayments provided for in Council's 2013-2014 Budget. An application for subsidised funding under the Local Infrastructure Renewal Scheme has been approved for this allocation to specifically address the backlog in road infrastructure renewal.

Council through its financial advisor, Spectra Financial Services prepared the tender for financial institutions to respond both on a fixed and variable rate basis. Four responses were received from the following banks and were considered on the basis of tender compliance and pricing:

- Australia and New Zealand Banking Corporation (ANZ)
- Commonwealth Bank of Australia (CBA)
- National Australia Bank (NAB)
- Westpac Banking Corporation (WBC).

Of the four banks that did respond to the tender, all banks, other than Westpac Banking Corporation have quoted for terms up to ten years on a fully amortising facility on both a fixed and variable rate basis. Westpac Banking Corporation provided very limited information with no transparent pricing benchmark being quoted and stated that at the time of the offer the quote was not credit approved. As such this response has been discounted from the funding evaluation.

Details of the responses were as follows:

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<b>Fixed Rate</b>	<b>ANZ</b>	<b>CBA</b>	<b>NAB</b>	<b>WBC</b>
10 Year	5.83%	5.74%	5.66%	Not considered
7 Year	5.83%	5.25%	5.42%	Not considered
5 Year	4.93%	4.89%	5.12%	Not considered

<b>Variable Rate</b>	<b>ANZ</b>	<b>CBA</b>	<b>NAB</b>	<b>WBC</b>
10 Year	180 day BBSW + 219bp	180 day BBSW + 200bp	180 day BBSW + 198bp	Not considered
7 Year	180 day BBSW + 186bp	180 day BBSW + 178bp	180 day BBSW + 198bp	Not considered
5 Year	180 day BBSW + 164bp	180 day BBSW + 158bp	180 day BBSW + 198bp	Not considered

Note: The Bank Bill Swap Rate (BBSW) or the Bank Bill Swap Bid Rate (BBSY) are commonly used market reference rates for Australian dollar bills of exchange. At the time of the tender evaluation, the indicative 180 day BBSW was 3.30%.

Rates quoted are indicative and are based on pricing as at 28 November 2012. It is anticipated that interest rates will remain fairly stable.

Given the period between these indicative quotes and the proposed draw down date of 15 February 2013, an updated indicative rate will be obtained from the three accepted tenderers Australia and New Zealand Banking Corporation, Commonwealth Bank of Australia and National Australia Bank.

Under the conditions of the Local Infrastructure Renewal Scheme Funding Agreement, the loan must be fully amortised and not exceed ten years together with the attractive long term fixed rates on offer which are currently at historically low levels. It is recommended that Council accept the initial indicative offer from National Australia Bank which provided the most attractive rate of 5.66% for a ten year fixed period. It is recommended that delegated authority be given to the General Manager to accept a ten year fixed rate offer other than National Australia Bank should the Commonwealth Bank of Australia or Australia and New Zealand Banking Group provide a more attractive fixed rate pricing at the date of draw down.

### **Officer's Recommendation**

1. That Council accept the initial quote from National Australia Bank for an amount of \$5m for a ten year fixed term based on the indicative pricing provided should it remain the most competitive quote at the date of draw down.
2. That Council delegate the Mayor and General Manager to authorise the necessary documentation.
3. That the Mortgage Deed and security documents be executed under the Common Seal of Council if required.
4. That Council delegate the General Manager the authority to accept an alternative ten year fixed rate offer from the Commonwealth Bank of Australia or Australia and New Zealand Banking Group should they provide a more attractive fixed rate pricing at the date of draw down.

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

That the Officer's Recommendation be adopted.

**CARRIED**

**Council Meeting 18 December 2012 (Mead/Lake)**

That the Officer's Recommendation be adopted.

**Council Resolution Minute Number 225**

That the Officer's Recommendation be adopted.

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## **5. BUSINESS ASSURANCE**

**No reports this round**

## **6. HUMAN RESOURCES**

**No reports this round**

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

**No reports this round**

## **8. GENERAL BUSINESS**

### **8.1 Coal Seam Gas Rally**

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

1. That Council lead, organise, support and promote a no Coal Seam Gas in Macarthur community protest rally to be held in February/March 2013 at Campbelltown Football Stadium to oppose and reject all Coal Seam Gas Mining in Macarthur.
2. That Council establish a fund to enable a series of community information/education forums between December 2012 and February 2013, across the Local Government Area to inform the residents about AGL's proposal to vertically and horizontally drill for Coal Seam Gas near to and under the homes and businesses of Campbelltown.

#### **Amendment: (Hawker/Greiss)**

1. That Council establish a fund to enable a series of community information/education forums between December 2012 and February 2013, across the Local Government Area to inform the residents about AGL's proposal to vertically and horizontally drill for Coal Seam Gas near to and under the homes and businesses of Campbelltown.
2. That at the conclusion of the information/education forums that Council hold an anti-Coal Seam Gas assembly at Campbelltown Football Stadium in March 2013, to voice the Council and the community concerns regarding AGL's proposal to drill for Coal Seam Gas near or under the residences and businesses of Campbelltown.

#### **LOST**

The Motion on being Put was **CARRIED**.

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### **Council Meeting 18 December 2012 (Borg/Lake)**

1. That Council lead, organise, support and promote a No Coal Seam Gas in Macarthur community protest rally to be held in February/March 2013 at an appropriate location to oppose and reject all Coal Seam Gas Mining in Macarthur.
2. That Council establish a fund to enable a series of community information/education forums between December 2012 and February 2013, across the Local Government Area to inform the residents about AGL's proposal to vertically and horizontally drill for Coal Seam Gas near to and under the homes and businesses of Campbelltown.

### **Council Resolution Minute Number 226**

1. That Council lead, organise, support and promote a No Coal Seam Gas in Macarthur community protest rally to be held in February/March 2013 at an appropriate location to oppose and reject all Coal Seam Gas Mining in Macarthur.
2. That Council establish a fund to enable a series of community information/education forums between December 2012 and February 2013, across the Local Government Area to inform the residents about AGL's proposal to vertically and horizontally drill for Coal Seam Gas near to and under the homes and businesses of Campbelltown.

Councillor Mead asked that his name be recorded against the resolution in regard to Item 8.1 - Coal Seam Gas Rally.

## **8.2 Mental Health Unit - Campbelltown Private Hospital**

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

1. That Council write to the Minister for Health requesting a meeting with the Mayor and General Manager or their representatives regarding the closure of the Campbelltown Private Hospital Mental Health Unit to make way for new surgical beds noting that this will have a huge impact on the Macarthur/Camden community who suffer from mental illness.
2. That the Minister for Health be requested to restore funding to maintain the Mental Health Unit within Campbelltown Private Hospital.

**CARRIED**

### **Council Meeting 18 December 2012 (Mead/Lake)**

That the Committee's Recommendation be adopted.

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**Amendment: (Dobson/Hawker)**

That the Federal and State Ministers for Health be requested to provide adequate funding to address mental health issues in the Macarthur area.

**Council Resolution Minute Number 225**

That the above amendment be adopted.

**Confidentiality Motion: (Lake/Greiss)**

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**

**21. CONFIDENTIAL ITEMS**

**21.1 Sale of Council Land being Lot 1 DP 249991 (59 Jacaranda Avenue, Bradbury)**

**Reason for Confidentiality**

This report is **CONFIDENTIAL** in accordance with Section 10A(2)(d(i)) 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:
  - (i) prejudice the commercial position of the person who supplied it.

## 21.2 Edmondson Park South Child Care Centre

### 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 6.33pm.

C Mead  
CHAIRPERSON

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