

Reports of the Corporate Governance Committee Meeting held at 5.30pm on Tuesday, 27 May 2014.

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 27 May 2014

Present His Worship the Mayor, Councillor C Mead
Councillor S Dobson (Chairperson)
Councillor F Borg
Councillor R Kolkman
Councillor P Lake
Director Business Services - Mr M Sewell
Acting Director City Works - Mr K Lynch
Acting Manager Business Assurance - Mr C Taylor
Acting Manager Customer Service – Mrs J Uluibau
Manager Development Services – Mr J Baldwin
Manager Executive Services - Mr N Smolonogov
Manager Financial Services - Mrs C Mears
Manager Human Resources - Mr B Clarence
Manager Property Services - Mr J Milicic
Manager Waste and Recycling Services - Mr P Macdonald
Procurement and Contracts Coordinator - Ms K Stares
Policy and Governance Coordinator - Ms J Warner
Executive Assistant - Mrs K Peters

Apology (Lake/Kolkman)

That the apologies from Councillors Greiss and Hawker be received and accepted.

CARRIED

Note: Councillor A Chanthivong has been granted a leave of absence from Council, incorporating all formal Council and Committee meetings until Tuesday 12 August 2014.

Acknowledgement of Land

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

DECLARATIONS OF INTEREST

There were no Declarations of Interest at this meeting.

1. GOVERNANCE AND ADMINISTRATION

No reports this round

2. PROPERTY SERVICES

2.1 Subdivision of land for lease purposes, Macquarie Fields

Reporting Officer

Manager Property Services

Attachments

1. Plan of Site (contained within this report)
2. Proposed subdivision layout (contained within this report)

Purpose

To seek Council approval for the lodgement of a development application for the subdivision of Council land to facilitate the leasing of the Macquarie Fields Neighbourhood Store and Residence.

History

Council in accordance with a resolution passed on 19 December 2004 entered into a five year lease with a five year option which was exercised in 2009 over the Macquarie Fields Neighbourhood Store and Residence.

Report

The Macquarie Fields Neighbourhood Store and residence is located at the corner of Evelyn Street and Cestrum Avenue, Macquarie Fields. Council is the owner of the site which is comprised of four allotments described as Lots 31-34 in Section 39 within DP 1391 shown in attachment 1 to this report.

This site has a combined area of approximately 7689 square metres and is classified as 'operational' land. The site is dual zoned part 3(c) – Neighbourhood Business Zone and part 9 – Community Uses Zone. The actual area occupied by the Macquarie Fields Neighbourhood Store and residence is only approximately 2000 square metres.

The lease over the Macquarie Fields Neighbourhood Store and residence is due to expire on 19 December 2014. In order to ensure that a lease is in place over the Macquarie Fields Neighbourhood Store and residence, representations have been made to the current tenant to determine interest in proceeding with a new lease.

The current tenants, who have successfully managed the business since 2004, have requested a new long term lease for a term of five years with a five year option adopting similar conditions to the current lease.

The site of the Macquarie Fields Neighbourhood Store and residence is comprised of four separate allotments with the lease area being over a portion of three allotments. In this respect a subdivision of the land is required to create a separate title over the actual occupied area of approximately 2000 square metres.

In order to facilitate the lease it is proposed that the subject site be subdivided into separate allotments as depicted in attachment 2 of this report, detailed as follows:

- Lot 1 would be created to define the area subject to the lease being the Macquarie Fields Neighbourhood Store and residence together with associated car parking area in accordance with the existing 3(c) Neighbourhood Business zone.
- The title to the balance of the site would continue to be held by Council as part of the Development Reserve holdings.

Accordingly, it is recommended that Council provide approval for the lodgement of a development application for the subdivision of Council land at Macquarie Fields to facilitate a new long term lease over the actual occupied area for the Macquarie Fields Neighbourhood Store and residence.

Officer's Recommendation

1. That Council provide its approval for the lodgement of a development application over Lots 31-34 in Section 39 within DP 1391 with respect to a proposed subdivision to facilitate the leasing of Macquarie Fields Neighbourhood Store and Residence.
2. That all documentation associated with the lodgement of a development application be executed under the Common Seal of Council if required.
3. That a further report be presented to Council regarding the proposed lease of the property upon completion of the subdivision.

Committee's Recommendation: (Lake/Mead)

That the Officer's Recommendation be adopted.

CARRIED

Council Meeting 3 June 2014 (Dobson/Mead)

That the Officer's Recommendation be adopted.

Council Resolution Minute Number 90

That the Officer's Recommendation be adopted.

ATTACHMENT 1



ATTACHMENT 2



2.2 Ingleburn Fair Shopping Centre - Council Car Park Upgrade

Reporting Officer

Manager Property Services and Manager Development Services

Attachments

1. Plan of proposed car park reconfiguration (contained within this report)
2. Plan of proposed landscaping and imagery (contained within this report)

Purpose

To inform the Council of an offer made by the representative of the owner/s of Ingleburn Fair Shopping Centre, to undertake reconfiguration and upgrade works on the adjacent Council land currently used for car parking and to seek the Council's approval to enter into a Legal Agreement with the owners of Ingleburn Fair Shopping Centre and for these works to occur at no cost to the Council.

Property Description	Public Car Park adjacent to Ingleburn Fair Shopping Centre
Applicant	Caverstock Group Pty Ltd
Owner	Dee Too Pty Ltd, FM OBeid Pty Ltd and JP Benson Pty Ltd

History

In June of 2013, Council approved a Development Application for the construction of additions and alterations to the internal area of the Ingleburn Fair Shopping Centre (the Centre), including associated façade treatments and business identification signs. This development proposal was not deemed to cause an intensification of any current approved use, and as such, in accordance with Council's s94A developer contribution plan, the development was exempt from the application of s94A developer contributions. Similarly, as the development did not generate additional floor space, the development was also exempt from the application of Council's s94 Car Parking Contributions Plan.

Toward the end of 2013, representatives of the owners of the Centre approached the Council with an offer to upgrade the existing (Council owned) 390 space car park adjacent to the Centre.

The car parking area subject of this report is located to the east of the Centre and is bounded by Carlisle Street, Macquarie Road, Cambridge Street and Boots Lane. Currently the parking configuration contains 203 time restricted spaces and 187 unrestricted spaces. The 187 unrestricted spaces are predominantly used for the purposes of commuter parking.

The proposed upgrade provides 25 additional time restricted parking spaces and one additional unrestricted space within the existing Council car park area. There is also an option for an additional 10 parking spaces for people with disabilities located in Macquarie Road.

Although the proposal shows Macquarie Road as a 'Shared Zone', this item will be addressed in view of a recent traffic review of 'Shared Zones' which included Macquarie Road.

Notwithstanding the provision of additional parking spaces, the main aspects of the proposal are the reconfiguration of the parking bays and circulation aisles, resurfacing of the pavement, provision of line-marking / sign-posting and landscaping works.

The works are being proposed by the proponent as part of a suite of works (private and public) to improve the shopping experience and improve the commercial/operational potential of the Centre, while at the same time providing an upgraded car park facility for the existing users.

Report

The owner's representative (proponent) of the Ingleburn Fair Shopping Centre (the Centre) has approached the Council seeking its approval for the Centre to carry out (under an appropriate legal agreement 'Deed' with the Council) the upgrade and reconfiguration of the existing Council car parking facility adjacent to the Centre. The provision of the work is to be at no cost to the Council.

The proponent has identified that the upgrade would result in a significant benefit to the local community in that it would provide increased car parking for the local users (up to 36 additional spaces within and external to the existing public car park) which will reduce existing local parking pressures within the wider shopping area during peak times; improve the efficiency and safety of movement (pedestrian and vehicular) within and around the subject parking area; and provide improved ingress/egress arrangements between the car park and surrounding road network.

Car park proposal

The elements of the proposed upgrade include (see Attachments No.1 and 2):

- reconfiguration of the existing Council car park layout to provide 26 additional spaces which would total 416 spaces
 - provision of one additional unrestricted parking space. Sub-total = 188 spaces
 - provision of 25 additional restricted parking spaces. Sub-total = 228 spaces
 - an option to provide 10 additional spaces for people with disabilities outside of the public car park and along Macquarie Road
 - reconfigured pedestrian access between the Centre and the public car park
 - provision of additional and embellishment of existing landscaping
 - reconfiguration of car park access points including a 2-way entry and exit between the car park and Carlisle Street
 - removal of the Boots Lane access
 - resurfacing of the whole car park with a new asphalt overlay
 - repair and upgrade lighting
 - line marking and sign posting works (including the definition of timed parking areas)
 - installation of new trolley collection bays
 - provide for disabled parking areas to be relocated closer to the Centre
 - provision of a new vehicular entry/exit onto Macquarie Street
-

Proposed cost

The proponent has provided Council with a scope of works and an itemised cost estimate of those works totalling approximately \$854,000, inclusive of a 5% contingency.

As identified previously, these works would be carried out at no cost to the Council, and in this regard, the proponent requests that Council enter into a Deed of Agreement (or other appropriate legally binding instrument) whereby the obligation to carry out all works by the proponent, at the proponents cost is legally binding and clearly articulated.

Further to this, and as an added measure to ensure that Council's future opportunities for the use, redevelopment or potential sale of the land previously purchased by Council and currently used for car park are not hindered in any way, it is proposed to introduce wording into any agreement as proposed by the proponent (subject to legal advice) that no obligation is created on the Council to keep the car park, in part, or in its entirety, or any obligation to maintain a specified number of parking spaces for any period of time.

The inclusion of the above condition is to ensure that the use of the car park, or future decisions made by the Council in relation to the subject land currently being used as a car park is not fettered in any way and that there is no inferred obligation on the Council to maintain or continue the provision of parking at this location, at any time.

Having regard to the estimated cost of the works, although there is no obligation on the proponents behalf, nor any power that the Council has to force the proponent to provide any s94 parking contributions for the works, the proponent has compared the estimated cost of works against that of the value of the material public benefit of the provision of an additional 26 parking spaces within the existing car park area.

In this regard, at the time the cost estimate of \$854,000 was finalised (March 2014), the s94 parking contribution in the Ingleburn area was set at \$32,401.44 per parking space. When using the s94 car parking contribution rate of \$32,401.44, the value of the material public benefit based on 26 additional parking spaces constructed within the Ingleburn town area amounts to approximately \$842,000 (against the estimated development cost of \$854,000). It is also proposed to obtain a security against the completion of these works as part of any legal agreement.

If Council endorsed the proposal, the proponent would be required to provide a draft legal agreement to Council and its solicitor for review. On receipt of the appropriate legal advice, it is further requested that the General Manager be delegated the authority to execute the agreement on Council's behalf.

The proponent would still be subject to the normal planning and approval processes for the civil works including the requirement to obtain the owners consent. In this regard, the proponent would be required to obtain separate approval from the Council as the owner of the land upon which the car park is situated to allow for the reconfiguration works as well as any works proposed within the public road areas.

These works may also require separate endorsement from Council's Local Traffic Committee and subsequent approval from the Council. Notwithstanding this, the proposal is not considered to be a major project and as such, it is highly unlikely that there will be a need to significantly alter the proposal as shown within the included attachments.

Finally, and having regard to the time restricted parking spaces, the proponent is not proposing to alter the timeframes of the time limited parking areas during week days, however, the proponent has requested that Council give consideration to extending time restrictions to the whole car park area for weekend periods. This has been provided within this report as information only, and this matter can be considered and dealt with at a later time, as part of the any future assessment.

Conclusion

The proponent has sought Council approval to undertake an upgrade and reconfiguration of the existing Council car park situated opposite Ingleburn Fair Shopping Centre.

The proposal involves the proponent being solely responsible for the construction of the proposed works as well as being responsible for all costs associated or incidental with the preparation, design and construction of the proposed works.

In order to facilitate the proposal, a legal agreement would be required between the owners of the shopping centre and Council, on terms satisfactory to Council. This requires a condition that Council has no obligation to ensure the lands comprising the subject car park are retained at any time in the future as a car park. In other words, the Council's use of the subject car park is not to be fettered in any way as a result of the entering into such an agreement, and where the Council does choose to alter the car park or its use in any way, the proponent cannot make claim for any loss or otherwise that it may not incur.

On this basis it is recommended that Council provide approval to proceed with the proposal for the proponent to reconfigure the subject car park at no cost to Council for the provision of additional parking spaces and associated work as outlined in this report.

It is also recommended that Council provide approval for Council's General Manager to be authorised to execute any necessary legal agreement as vetted by Council's solicitor on behalf of Council.

Officer's Recommendation

1. That Council approve the proposal for the proponent to reconfigure the subject car park at no cost to Council as outlined in this report, subject to the parties entering into a Legal Agreement.
 2. That Council's General Manager be authorised to execute the necessary Legal Agreement on behalf of Council.
 3. That Council provide owners consent for a development application to be lodged for the proposed car park reconfiguration subject to a Legal Agreement being in place and provide separate owners consent for the works to commence subject to all relevant approvals, certifications, endorsement being obtained prior to the works commencing on site.
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Committee's Recommendation: (Borg/Kolkman)

That the Officer's Recommendation be adopted.

CARRIED

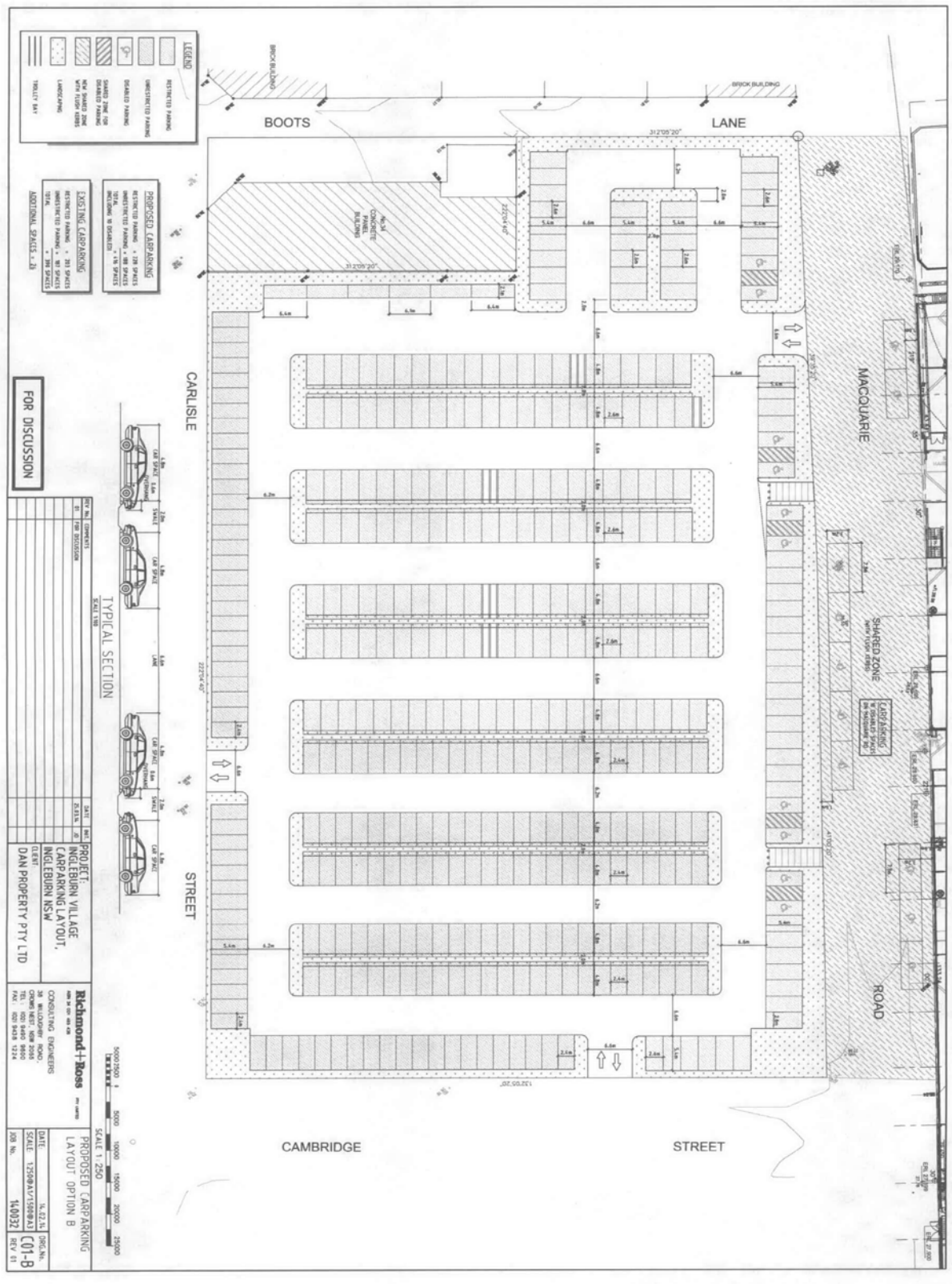
Council Meeting 3 June 2014 (Dobson/Mead)

That the Officer's Recommendation be adopted.

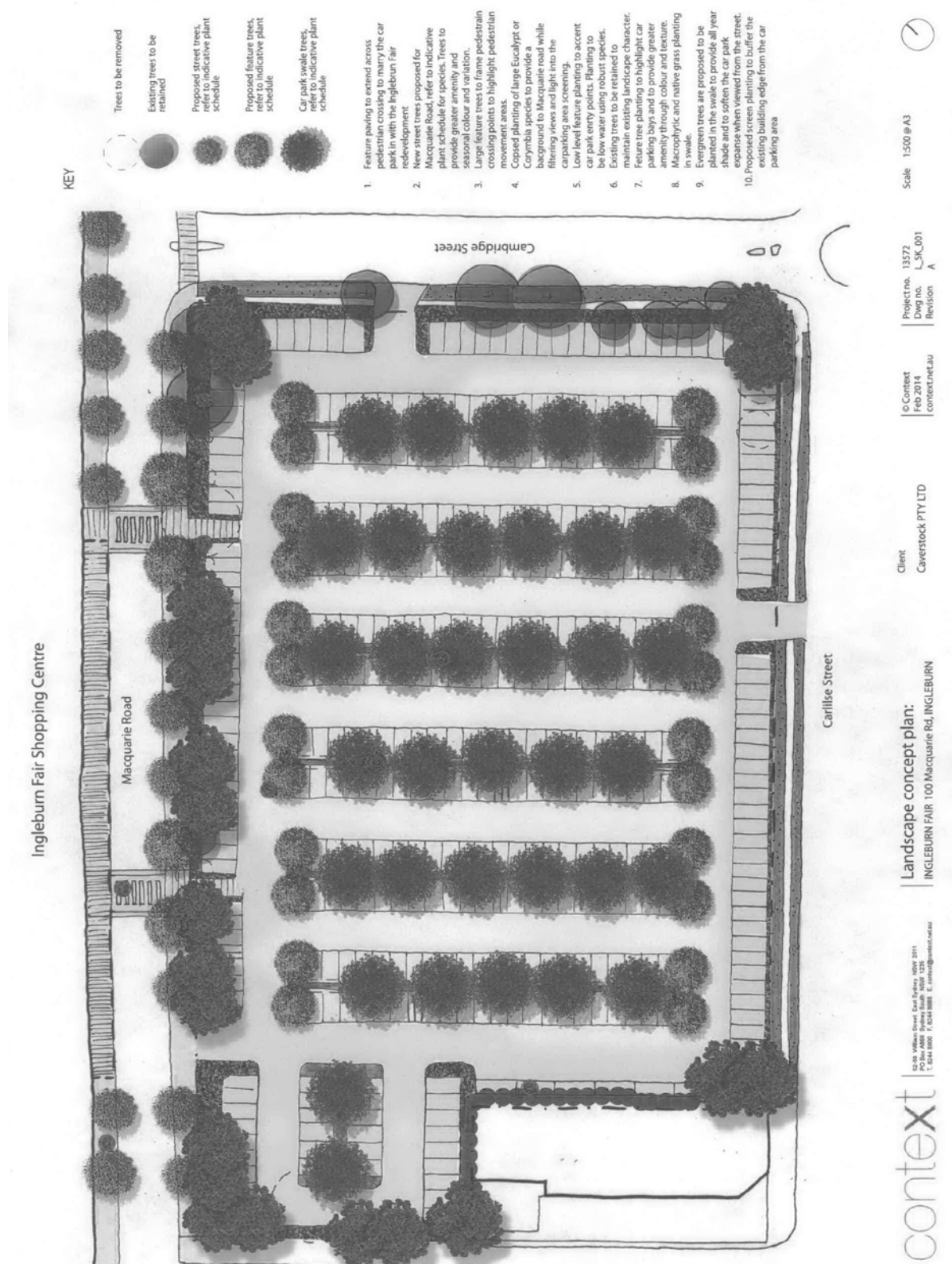
Council Resolution Minute Number 90

That the Officer's Recommendation be adopted.

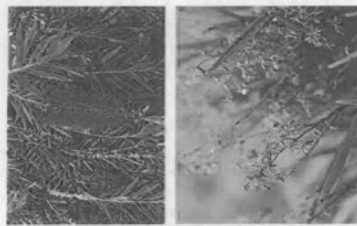
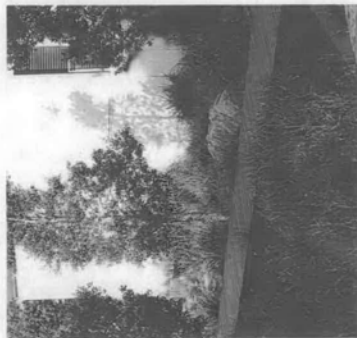
ATTACHMENT 1



ATTACHMENT 2



LANDSCAPE CHARACTER IMAGES

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3. FINANCIAL SERVICES

3.1 Investment report - April 2014

Reporting Officer

Manager Financial Services

Attachments

Investment portfolio performance as at 30 April 2014

Purpose

To provide a report outlining Council's investment portfolio performance for the month of April 2014.

Report

Council invests any surplus funds that become available through the financial instrument designated by the Ministerial Order from the Office 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 2014 stood at approximately \$88m. 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.

Monthly annualised return		April
Council Managed Funds		4.01%
Benchmark: 90 Day Bank Bill Index		2.66%

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.

Rolling year to date return	April
Council Managed Funds	4.19%
Benchmark: 90 Day Bank Bill Index	2.69%

Council's portfolio as at 30 April 2014 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 gives Council a set margin above either 30 or 90 day bank bills, 7% in fixed rate bonds, 1% in funds in a short term at call account and a National Australia Bank offset facility which expires in June 2014.

Maturity profile	30 April
Short term at call	\$1,193,251
0 – 3 months	\$39,089,806
3 – 6 months	\$25,452,688
6 – 12 months	\$16,125,051
12 months +	\$6,000,000

All investments are placed with approved deposit taking institutions. No funds are placed with any unrated institutions.

Credit exposure	30 April
AAA to AA-	71%
A+ to A-	24%
BBB+ to BBB-	5%
Other approved deposit taking institutions	0%

Economic outlook

The Board of the Reserve Bank of Australia (RBA) left the cash rate unchanged at its present level of 2.5% at its meeting held on 6 May, which was in line with market expectations. The accompanying statement to this decision indicated that the current setting of monetary policy is appropriately configured to foster sustainable growth as well keeping inflation within the Bank's target range of 2-3%. The RBA Governor stated that the most prudent course is likely to be a period of stability in interest rates which market economists concur that this neutral bias coupled with the ongoing downturn in the mining sector and rise in unemployment all points to an extended period of stability in interest 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: (Kolkman/Lake)

That the Officer's Recommendation be adopted.

CARRIED

Council Meeting 3 June 2014 (Dobson/Mead)

That the Officer's Recommendation be adopted.

Council Resolution Minute Number 90

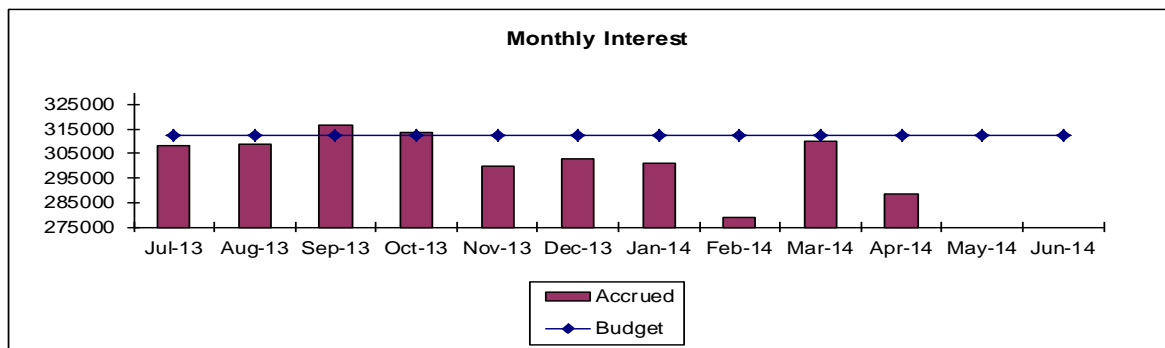
That the Officer's Recommendation be adopted.

ATTACHMENT 1

CAMPBELLTOWN CITY COUNCIL INVESTMENT PORTFOLIO Summary April 2014

Benchmark UBS Warburg 90 Day Bank Bill Index
Portfolio Balance \$87,860,795.60

Monthly Performance	Return (mth)	Return (pa)
UBSW 90 Bank Bill Index	0.22%	2.66%
Total Portfolio	0.33%	3.99%
<i>Performance to Benchmark</i>	+ 0.11%	+ 1.34%
Portfolio - Direct Investments	0.33%	4.01%
<i>Performance to Benchmark</i>	+ 0.11%	+ 1.35%
Short Term Call Account	0.24%	2.90%

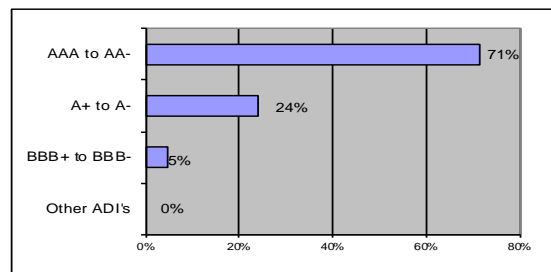


Year to Date Performance

Credit Exposure

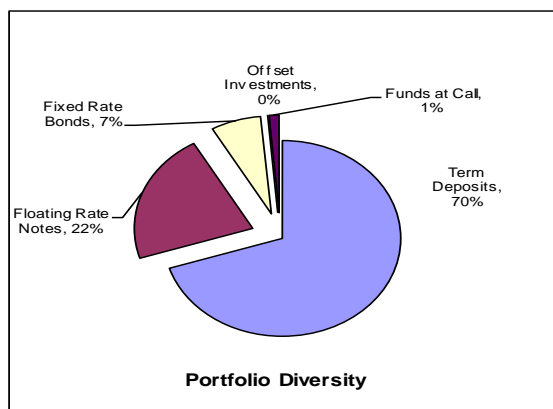
Rolling 12 Month Period
4.19% Council Managed Funds
2.69% Benchmark

Interest Budget to Actual
Budget to Period \$3,125,000
Accrued to Period \$3,027,467



Securities

Institutions



	Amount Invested	% Portfolio
Funds at Call	\$ 1,193,251.38	1%
NSW Treasury	\$ 2,225,000.00	3%
National Australia Bank	\$ 24,695,537.28	28%
ANZ Bank	\$ 3,500,000.00	4%
Westpac Bank	\$ 10,796,428.67	12%
St George Bank	\$ 3,528,505.06	4%
Commonwealth Bank	\$ 12,500,000.00	14%
Bank Western Australia	\$ 4,216,711.54	5%
AMP Bank	\$ 5,000,000.00	6%
Suncorp Metway	\$ 5,205,361.67	6%
ING Bank	\$ 4,000,000.00	5%
Rural Bank	\$ 3,000,000.00	3%
Bank of Queensland	\$ 4,000,000.00	5%
ME Bank	\$ 4,000,000.00	5%
	\$87,860,795.60	100%

3.2 Monthly Rates Summary - April 2014

Reporting Officer

Manager Financial Services

Attachments

1. Monthly rates summary (contained within this report)
2. Actual to budget result (contained within this report)
3. Rates statistics (contained within this report)

Purpose

To provide details of the 2013-2014 Rates and Charges Levy and cash collections for the month ending April 2014.

Report

Rates and charges levied for the period ending 30 April 2014 totalled \$83,711,224, achieving 99.3% of the current budget forecasts.

Receipts collected to the end of April totalled \$67,869,793. In percentage terms this amount represents 78.9% of all rates and charges due to be paid. In comparison, the amount collected in the same period last year was also 78.7%. This ratio places Council in a good position in minimising the amount due in rates and charges leading up to the end of the financial year. Effort is continually made to ensure that rate payers do not place themselves in a position that becomes increasingly difficult given their financial circumstances.

The fourth instalment notices were issued on 11 April 2014 to the 47,705 ratepayers who have chosen to pay their account in quarterly instalments. In addition 5,455 Housing NSW accounts were issued in an electronic form specified by Housing NSW.

Debt recovery action during the month involved the service of 243 Statements of Claim on accounts that have continued to remain overdue despite requests from Council to either finalise the outstanding balance or enter into a satisfactory arrangement to clear the debt. Officers continue to work with ratepayers experiencing difficulties in finalising their accounts and presently, 368 ratepayers are clearing their accounts through regular weekly, fortnightly or monthly payments.

Ratepayers who purchased property since the issue of the May instalment notice have received a "Notice to New Owner" letter. During the month, 37 of these notices were sent advising the amount raised by Council in annual rates and charges and the balance remaining unpaid.

Officer's Recommendation

That the information be noted.

Committee's Recommendation: (Lake/Mead)

That the Officer's Recommendation be adopted.

CARRIED

Council Meeting 3 June 2014 (Dobson/Mead)

That the Officer's Recommendation be adopted.

Council Resolution Minute Number 90

That the Officer's Recommendation be adopted.

ATTACHMENT 1

RATES SUMMARY

STATEMENT OF ALL OUTSTANDING RATES AND EXTRA CHARGES

RATE - CHARGE	NET ARREARS 1/7/2013	NET LEVY FOR YEAR	PENSION REBATES	EXTRA CHARGES	TOTAL RECEIVABLE	CASH COLLECTED	NET AMOUNT DUE	POSTPONED RATES & INTEREST	GROSS AMOUNT DUE
RESIDENTIAL	2,489,704.10	47,039,187.36	1,362,030.92	686,376.98	48,853,237.52	38,153,198.76	10,700,038.76	355,610.53	11,055,649.29
BUSINESS	468,656.67	15,792,058.54		98,324.14	16,359,039.35	12,960,866.93	3,398,172.42		3,398,172.42
BUSINESS - IND	3,940.83	0.00		123.16	4,063.99	1,492.23	2,571.76		2,571.76
FARMLAND	12,880.47	393,443.20	884.94	1,103.52	406,542.25	297,793.21	108,749.04	157,393.49	266,142.53
MINING	0.00	13,929.61		0.00	13,929.61	13,929.61	0.00		0.00
LOAN	243,314.66	4,109,690.73		11,052.65	4,364,058.04	3,382,952.35	981,105.69	49,637.72	1,030,743.41
F5 ACCESS RAMPS	764.21	0.00		18.51	782.72	106.91	675.81		675.81
MAIN STREET	40.12	0.00		0.00	40.12	0.00	40.12		40.12
TOTAL	\$3,219,301.06	\$67,348,309.44	\$1,362,915.86	\$796,998.96	\$70,001,693.60	\$54,810,340.00	\$15,191,353.60	\$562,641.74	\$15,753,995.34
GARBAGE	735,268.06	15,835,761.57	805,640.30	37,831.37	15,803,220.70	12,314,349.18	3,488,871.52		3,488,871.52
SANITARY	0.00	0.00		0.00	0.00	0.00	0.00		0.00
STORMWATER	51,164.38	900,937.34		2,115.13	954,216.85	745,103.84	209,113.01		209,113.01
GRAND TOTAL	\$4,005,733.50	\$84,085,008.35	\$2,168,556.16	\$836,945.46	\$86,759,131.15	\$67,869,793.02	\$18,889,338.13	\$562,641.74	\$19,451,979.87

Total from Rates Financial Transaction Summary	18,887,353.71
Overpayments	-564,626.16
Difference	0.00

ANALYSIS OF RECOVERY ACTION

Rate accounts greater than 6 months less than 12 months in arrears	775,904.44
Rate accounts greater than 12 months less than 18 months in arrears	125,680.06
Rate accounts greater than 18 months in arrears	44,454.77
TOTAL rates and charges under instruction with Council's agents	\$946,039.27

ATTACHMENT 2

COMPARISON OF BUDGET TO ACTUAL

DESCRIPTION	ORIGINAL BUDGET	REVISED BUDGET	ACTUAL	BALANCE STILL REQD.	% RAISED
RESIDENTIAL	46,699,900	46,863,400	47,039,187	(175,787)	100.38%
BUSINESS	15,792,500	15,792,500	15,792,059	441	100.00%
FARMLAND	415,500	415,500	393,443	22,057	94.69%
MINING	15,000	15,000	13,930	1,070	92.86%
LOAN	4,176,500	4,176,500	4,109,691	66,809	98.40%
TOTALS	67,099,400	67,262,900	67,348,309	(85,409)	100.13%
INTEREST CHARGES	368,900	258,900	168,237	90,663	64.98%
LEGAL COSTS RECOVERED	710,000	710,000	634,237	75,763	89.33%
PENSIONERS - Sec 575	(1,735,300)	(1,735,300)	(1,804,176)	68,876	103.97%
PENSIONERS - Sec 582	0	0	(364,380)	364,380	0.00%
PENSIONERS SUBSIDY	953,500	953,500	992,297	(38,797)	104.07%
SUB TOTAL	67,396,500	67,450,000	66,974,525	475,475	99.30%
DOMESTIC WASTE CHARGES	15,566,800	15,566,800	15,429,376	137,424	99.12%
COMMERCIAL WASTE CHARGES	358,800	358,800	406,386	(47,586)	113.26%
STORMWATER MNGMNT	894,000	894,000	900,937	(6,937)	100.78%
GRAND TOTALS	84,216,100	84,269,600	83,711,224	558,376	99.34%

COLLECTIONS AS A % OF:

	TOTAL RECEIVABLE	TOTAL LEVIED	TOTAL RECEIVABLE	TOTAL LEVIED
RESIDENTIAL	78.10%	81.11%		
BUSINESS	79.23%	82.07%	RATES	81.38%
FARMLAND	73.25%	75.69%	WASTE	77.76%
LOAN	77.52%	82.32%	STORMWATER	82.70%
ALL RATES	78.30%	81.38%	TOTAL RATES & CHARGES	81.39%

ATTACHMENT 3

RATES STATISTICS

No. of documents Issued	July	August	September	October	November	December	January	February	March	April	May	June	Apr-13
Rate Notices	48,779	121		238			165						41,706
Electronic - DoH	5,655									41,705			5,786
Instalment Notices				42,363			42,019						
Electronic - DoH				5,703			6,317			5,455			
Missed Instalment Notices			7,916			6,949			6,411				
- Pensioners > \$15.00			489			436			419				
Notice to new owner	169	91	41	71	41	39	48	21	31	39			24
7-day Letters - Council issued			1,755			1,901			1,785				
- Pensioners > \$500.00			124			99			93				
7-day Letters - Agent Issued			698				522		696				
Statement of Claim	235	31	19	248	20	15	236	22	24	243			251
Judgments	20	81	21	19	65	9	21	38	43	23			21
Writs	23	44	53	9	15	37	16	6	55	31			36
eRates	1,163	1,309	1,327	1,331	1,335	1,337	1,341	1,342	1,345	1,346			1,256
Arrangements	382	297	385	334	277	389	373	303	405	368			398

3.3 Sundry Debtors Report - April 2014

Reporting Officer

Manager Financial Services

Attachments

1. Debtors summary to 30 April 2014 (contained within this report)
2. Ageing of sundry debts to 30 April 2014 (contained within this report)

Purpose

To provide a report detailing the amount outstanding by type and age for sundry and miscellaneous debts for the period ending 30 April 2014.

Report

Debts outstanding to Council as at 30 April 2014 are \$1,012,003, reflecting a decrease of \$403,962 since March 2014. The ratio of outstanding debts to current invoices has increased from 20% in March to the current level of 32%. 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.

Invoices raised – March 2014

During the month, 884 invoices were raised totalling \$527,817. The majority of these are paid within a 30 day period, however those that remain unpaid from previous periods for longer than 90 days are detailed at the end of this report. The most significant invoices raised during the month have been in the following areas:

Land and building rentals – \$157,714 – the main invoices relate to:

Crown Castle Australia Pty Ltd - 3GIS land lease for March 2014 - March 2015 at various sites in the local government area	\$27,444
Nuvezo Pty Ltd - monthly rental Dumaresq Street Cinema	\$23,283
Aldi Stores - monthly rental Macquarie Fields	\$22,518
Glenquarie Hotel Pty Ltd - monthly rental Macquarie Fields	\$20,438
Telstra Corporation Ltd - 3GIS land lease for March 2014 - March 2015 at various sites in the local government area	\$15,646
Caltex Oil Australia Pty Ltd - monthly rental Macquarie Fields	\$15,062
Mycorp Group Pty Ltd - monthly rental Macquarie Fields	\$14,048
McDonalds Australia Limited - monthly rental Macquarie Fields	\$7,565
Macarthur Community Options - monthly rental Campbelltown	\$5,958

Various Sundry Items – \$146,475 – the invoices relate to:

Campbelltown District Netball Association - supply of Cloudmaster universal lighting control system, including supply and installation of floodlight columns	\$46,109
Craftsman Homes Southern Highland Pty Ltd - costs associated with easement over Hurley Park Campbelltown	\$17,547
NSW Community Options - cost recovery for ComPacks Program and reimbursement of Ability Technology invoice for equipment for a client	\$16,412
OSO Fun Amusements Pty Ltd - commission and sales from New Year's Eve and Ingleburn Alive Carnivals	\$14,160
NSW Gaelic Athletics Association - supply and spread of 100 ton of topsoil on the Gaelic sports field at Bob Prenter Reserve	\$5,020
Camden Council - legal advice relating to South West Sydney Council resource recovery project - contract with WSN Environmental Solutions (1/4 share) and three skatepark signs and graffiti proofing at Kirkham	\$5,447
Wingecarribee Shire Council - legal advice relating to South West Sydney Council resource recovery project - contract with WSN Environmental Solutions (1/4 share)	\$4,922
Wollondilly Shire Council - legal advice relating to South West Sydney Council resource recovery project - contract with WSN Environmental Solutions(1/4 share)	\$4,922

Public Hall Hire – \$48,352 – all invoices relate to:

Hire of council halls by various groups	\$48,352
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Waste collection services – \$34,858 – two main invoices relate to:

Remondis Australia Pty Ltd – effluent for March 2014	\$28,705
Veolia Water Network Services – effluent for March 2014	\$6,154

Receipts to the value of \$931,779 have been received during the period, the most notable in the following areas:

Land and building rentals	\$503,025
Waste collection services	\$95,017
Corporate administration	\$71,800
Government and other grants	\$49,500
Various sundry items	\$46,823

Sundry debts outstanding – 30 April 2014

Debts exceeding 90 days of age totalled \$172,783 as at 30 April 2014. The major invoices relating to this balance include:

Description	Date Invoiced	Balance
State Emergency Service - operation expenses for Campbelltown State Emergency Services - June 2013 to September 2013. State Emergency Service requested further documentation relating to the invoice. This was provided in March and additional information was provided in April 2014. Payment is now expected in May 2014	02/10/13	\$22,720
Debtor 68316.9 - retaining wall between Lot 1451 DP 703487, 2 and 4 Brownlow Place, Ambarvale. Debtor is maintaining arrangement to pay \$450 per month as approved by Council	09/06/10	\$14,207

Debt recovery action is undertaken in accordance with Council's Sundry Debtor Recovery Procedures Policy and commences with the issue of a tax invoice. A person or entity may be issued any number of invoices during the calendar month for any business, services or activities provided by Council. At the conclusion of each calendar month, a statement of transactions is provided with details of all invoices due and how payments or credit notes have been apportioned. Once an invoice is paid, it no longer appears on any subsequent statement.

All debts that age by 60 days or more are charged a statement administration fee of \$5.50 per statement. Debtors are contacted by telephone, email or in writing to make suitable arrangements for payment of the overdue debt. Where a suitable arrangement is not achieved or not maintained as agreed, a seven day letter is issued referencing referral to Council's debt recovery agents.

Matters referred to Council's recovery agent are conducted in accordance with relevant legislation and the *Civil Procedures Act 2001*. Formal legal recovery commences with a letter of demand (or letter of intent) providing debtors with at least 10 days to respond. In the event that no response is received, instructions are given to proceed to Statement of Claim allowing a further 28 days to pay or defend the action. Failing this, the matter will automatically proceed to judgment and continue through the *Civil Procedures Act 2001* process.

All costs associated with formal legal recovery are payable by the debtor and staff continue to make every effort to assist debtors to resolve their outstanding debt before escalating it through the local court.

During the month, 29 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 Garnishee 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/Kolkman)

That the Officer's Recommendation be adopted.

CARRIED

Council Meeting 3 June 2014 (Dobson/Mead)

That the Officer's Recommendation be adopted.

Council Resolution Minute Number 90

That the Officer's Recommendation be adopted.

ATTACHMENT 1

DEBTORS SUMMARY 1 April 2014 to 30 April 2014

DEBTOR TYPE/DESCRIPTION	ARREARS AT 31/03/14	RAISED THIS PERIOD	RECEIVED THIS PERIOD	BALANCE AT 30/04/14	% DEBT RATIO
Corporate Administration	125,300	21,188	71,800	74,688	7.38%
Abandoned Items	8,944	0	0	8,944	0.88%
Child Care Debts	18,710	0	0	18,710	1.85%
Community Bus	89	54	0	143	0.01%
Tennis Court Hire	0	0	0	0	0.00%
Sportsground and Field Hire	121,276	6,676	38,726	89,226	8.82%
Government and other Grants	98,010	1,000	49,500	49,510	4.89%
Public Hall Hire	17,978	48,352	36,213	30,117	2.98%
Health Services	350	0	0	350	0.03%
Land and Building Rentals	482,075	157,714	503,025	136,764	13.51%
Healthy Lifestyles	1,879	29,809	28,587	3,101	0.31%
Library Fines and Costs	174,497	0	0	174,497	17.24%
Shop Licence Fees	53,767	17,370	12,844	58,293	5.76%
Pool Hire	24,776	11,102	19,926	15,952	1.58%
Private Works	72,155	348	798	71,705	7.09%
Road and Footpath Restoration	53,673	24,878	1,377	77,174	7.63%
Shop and Office Rentals	26,256	27,993	27,144	27,105	2.68%
Various Sundry Items	59,824	146,475	46,823	159,475	15.76%
Waste Collection Services	115,840	34,858	95,017	55,682	5.50%
	1,415,965	527,817	931,779	1,012,003	100%

ATTACHMENT 2

AGEING OF SUNDRY DEBTOR ACCOUNTS - 30 April 2014

Description	Current Charges	Total 30 Days	Total 60 Days	Total 90+ Days	Balance Due	Previous Month 90+ days
Corporate Administration	15,916	4,138	2,534	52,100	74,688	48,863
Abandoned Items	0	0	0	8,944	8,944	8,944
Child Care Debts	18,710	0	0	0	18,710	0
Community Bus	143	0	0	0	143	0
Sportsground and Field Hire	1,290	63,775	5,875	18,286	89,226	19,400
Government and other Grants	1,000	40,810	7,700	0	49,510	16,500
Public Hall Hire	23,362	1,376	1,900	3,479	30,117	5,106
Health Services	0	0	0	350	350	350
Land and Building Rentals	46,240	1,250	84,371	4,902	136,764	4,658
Healthy Lifestyles	2,256	438	58	349	3,101	386
Library Fines and Costs	174,497	0	0	0	174,497	0
Shop Licence Fees	15,132	2,065	16,180	24,916	58,293	27,612
Pool Hire	11,373	2,268	1,086	1,225	15,952	2,118
Private Works	1,189	23,875	23,875	22,767	71,705	23,217
Road and Footpath Restoration	25,542	29,822	1,128	20,682	77,174	17,886
Shop and Office Rentals	18,108	6,459	2,538	0	27,105	0
Various Sundry Items	114,247	24,611	6,762	13,856	159,475	13,187
Waste Collection Services	34,528	20,226	0	927	55,682	9,569
	464,099	221,113	154,008	172,783	1,012,003	197,795

3.4 Minutes of the Innovation and Performance Sub Committee held 5 May 2014

Reporting Officer

Manager Financial Services

Attachments

Minutes of the Innovation and Performance Sub Committee held 5 May 2014 (contained within this report)

Purpose

To seek Council's endorsement of the minutes of the Innovation and Performance Sub Committee held 5 May 2014.

Report

Detailed below are the recommendations of the Innovation and Performance 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 Innovation and Performance Sub Committee

Reports listed for consideration

7.1 Savings/Initiatives

That the information be noted.

7.2 Energy savings from large scale photovoltaic systems

That the information be noted.

7.3 Energy savings from energy efficient upgrades at HJ Daley Library

That the information be noted.

7.4 Using PATH when providing person centred care

That the information be noted.

7.5 Amarina Early Learning Centre Excellent Rating

That the information be noted.

7.6 Progress Report on Online Kerbside Clean-Up Bookings

That the information be noted.

7.7 Specific-Day Kerbside Clean-Up Bookings

That the information be noted.

7.8 KP1 Audience Participation Tool

That the information be noted.

Officer's Recommendation

That the minutes be noted.

Committee's Recommendation: (Borg/Kolkman)

That the Officer's Recommendation be adopted.

CARRIED

Council Meeting 3 June 2014 (Dobson/Mead)

That the Officer's Recommendation be adopted.

Council Resolution Minute Number 90

That the Officer's Recommendation be adopted.

ATTACHMENT 1

Minutes of the Innovation and Performance Sub Committee

Held Monday 5 May 2014 in Committee Room 3

Meeting Commenced: 6.00pm

1. Acknowledgement of Land

An Acknowledgement of Land was presented by the Chairperson, Councillor Dobson

2. Attendance and Apologies

Attendance: Councillor Sue Dobson (Chairperson)
Councillor Clinton Mead
Councillor Ted Rowell
Councillor Paul Lake
Mr Paul Tosi, General Manager
Mrs Corinne Mears, Manager Financial Services

Also in Attendance: Mr Jeff Lawrence, Director Planning and Environment
Mr Richard Blair, Manager Emergency Management and Facility Services
Mr Andrew Spooner, Manager Sustainable City and Environment
Ms Beth Buckley, Executive Assistant

Apologies: Councillor George Greiss
Mr Michael Sewell, Director Business Services
Mr Cliff Taylor, Acting Manager Business Services

Sub Committee's Recommendation: (Lake/Rowell)

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 7 May 2013 copies of which have been circulated to each Sub Committee member were adopted by Council at its meeting held on 18 June 2013.

Officer's Recommendation

That the information be noted.

Sub Committee's Recommendation: (Lake/Rowell)

That the information be noted.

CARRIED

5. Business Arising from Previous Minutes

There was no business arising from previous minutes.

6. Correspondence

There was no correspondence.

7. Reports

7.1 Savings/Initiatives

Purpose

This report is to provide the Sub Committee on savings that have been implemented between Committee meetings.

History

The Sub Committee was presented with savings at previous meetings to the value of \$9,296,827. A list of savings is attached for the Sub Committee's information.

Report

The delivery of cost effective services is a priority for all sections of Council. Many cost saving initiatives are identified and implemented by staff on a daily basis. Included in this report are a number of initiatives from various sections across the organisation. In summary, these are:

Energy savings - photovoltaic systems

The successful partnership with Horizon Solar in a large scale energy efficiency project targeted Council's first and third highest energy consuming facilities, and aimed to reduce their energy consumption from grid-supplied electricity by at least 10%.

The project involved the installation of a 99kW photovoltaic system at Campbelltown Civic Centre and a 95kW photovoltaic system at Campbelltown Arts Centre.

The on-site renewable power generated by each system is expected to reduce Council's carbon dioxide emissions by 361.07 tonnes per year, and its reliance on the electricity grid by 277,741kWh per year. As of March 2014, the systems had collectively saved Council 31% in electricity and 18% in cost and is estimated to have saved \$30,600 since April 2013.

Energy savings from upgrades at HJ Daley Library

In continuing Council's commitment to energy efficiency, Council's HJ Daley Library received two large-scale energy efficiency upgrades. These initiatives were partly funded by annual State Government payments and included the replacement of the old, inefficient air conditioning system and the installation of a Building Management System. Since their installation, the facility has reduced its energy consumption by 60% and cost by 45% which is estimated to have saved \$59,500 since May 2012.

Using PATH when providing person centred care

Changes in Aged and Disability Service Provision and Funding has highlighted the role of service providers to empower people with a disability, their families and carers to pursue their own goals and secure effective and cost efficient services through the use of PATH (Planning Alternative Tomorrows with Hope).

Amarina Early Learning Centre Excellence Rating

As a reflection of high performance, Amarina Early Learning Centre (ELC) was awarded the Excellent rating by the Australian Children's Education and Care Quality Authority (ACECQA). The Centre is the fifth service in the country, the first in New South Wales and the first Council operated service to ever be awarded the Excellent rating by ACECQA. The Excellent rating is the highest rating a service can achieve under the National Quality Framework for Early Childhood Education and Care.

3.4 Minutes Of The Innovation And Performance Sub Committee Held 5 May 2014

Online Kerbside clean-up bookings

As an improved customer service initiative, Council introduced an online booking service for kerbside clean-ups. The current trend of 24.7% of kerbside clean-ups booked online equates to over 10,000 less incoming telephone calls per year to Council's switchboard. With an average telephone booking lasting three minutes, this represents a 500 hour per year reduction in time spent on the telephone by Customer Service staff which equates to approximately \$14,300 per year efficiency gains.

Specific day Kerbside clean-up bookings

Under the new domestic waste collection contract which commenced on 1 April 2014, Council was able to implement specific-day clean-ups as a condition of the contract. Residents are now advised of the specific day that their kerbside clean-up will occur. The provision of kerbside clean-up services on a specified day, the week following the booking, as well as the provision of an online booking facility, arguably represents a higher level of customer service for kerbside clean-ups.

KP1 audience participation tool

Human Resources recently purchased an audience participation tool which allows for real time anonymous data capture and audience participation at forums, meetings and education sessions. Council's Learning and Development Officer intends to use the tool to streamline training sessions and assessment task questionnaires in a paperless manner as well as obtain course evaluation feedback.

This system will not only improve productivity it will also improve stakeholder engagement.

The reported savings to the Innovation and Performance Sub Committee since its inception is now \$9,401,227.

Officer's Recommendation

That the information be noted.

Sub Committee's Recommendation: (Rowell/Lake)

That the information be noted.

CARRIED**7.2 Energy savings from large scale photovoltaic systems****Purpose**

To provide the Sub Committee with information on the energy and cost savings achieved from the installation of two large scale photovoltaic systems on the Civic Centre and Arts Centre.

History

In early 2013, Council partnered with Horizon Solar in a large scale energy efficiency project. The project, targeted Council's first and third highest energy consuming facilities, and aimed to reduce their energy consumption from grid-supplied electricity by at least 10%.

The project involved two key components;

1. the installation of a 99 kW photovoltaic system at Campbelltown Civic Centre and a 95kW photovoltaic system at Campbelltown Arts Centre (attachment 1)
 2. the installation of digital educational displays showing the energy being generated and environmental benefit at both facilities.
-

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The on-site renewable power generated by each system is expected to reduce Council's carbon dioxide emissions by 361.07 tonnes per year, and its reliance on the electricity grid by 277,741kWh per year. This is equivalent to providing electricity to 9,258 houses per year. As of March 2014, the systems had been operational for one year and have collectively saved Council 31% in electricity and 18% in cost. In showcasing this achievement, digital educational displays have been installed in the foyers of both facilities providing residents and visitors with real time information regarding the systems.

Report

Background

Council is committed to demonstrating leadership and promoting awareness around green technology, green investment and energy efficiency. In recent times, Council has installed:

- solar hot water systems across 32 of its community facilities
- solar pool heating systems at two of its leisure centres, with a third system currently being tendered
- a 9.9 kW photovoltaic system at its Works Depot.

Following on from the success of these initiatives, particularly the photovoltaic initiative at the Works Depot, Council understood (from extensive monitoring and reporting) that real benefits could be achieved. These benefits have already surpassed expectation, demonstrating the effectiveness of the technology and transferability across facility type and purpose.

This project was initiated in response to recommendations made within Council's most current Energy Management Plan, prepared in 2011. Coupled with the Energy Management Plan, the project was made possible through Council's broader vision for sustainability which has been gaining momentum with the realignment of the Sustainability Committee, the development of a Corporate Sustainability Fund and the completion of a Sustainability Accounting Tool making evidence-based project planning/decision-making possible.

The objectives of the project were identified in response to on-ground studies and observations around the performance of the two facilities. The objectives included:

Reduce Council's reliance on the electricity network.

- Provide a minimum 10% reduction on electricity consumption at each facility
- Demonstrate leadership, and promote awareness around green technology, green investment and energy efficiency
- Provide a modest return on investment to be captured by Council's Corporate Sustainability Fund for redistribution into other environmentally significant projects.

Energy and Cost savings

As with all projects of this nature, Council undertakes extensive monitoring and reporting of the systems effectiveness. This reporting has been made possible through an online educational display which provides real-time information, as well as Council's Sustainability Accounting Tool (SAT). The SAT captures historic data (from 2008-2009) and current consumption and cost information for the following six key areas – electricity, gas, water, paper, fleet and waste. It enables staff to easily see the resource consumption of the organisation or an individual facility, identify trends and anomalies in usage and develop initiatives to improve sustainability performance. The SAT has developed into a combined environmental, property and financial reporting system.

As of March 2014, the photovoltaic systems have been achieving significant reductions in electricity and modest reductions in cost. The system on the Civic Centre has reduced Council's reliance on the electricity grid by 132,328kWh or the equivalent of 12 houses, whilst the system on the Arts Centre has reduced Council's reliance on the grid by 211,566kWh or the equivalent of 19

3.4 Minutes Of The Innovation And Performance Sub Committee Held 5 May 2014

houses. Collectively this is a reduction of 31% in electricity and 18% in cost. With regard to cost, it is important to note that the cost per kWh for grid electricity has risen, on average, by 28% at the Civic Centre and 34% at the Arts Centre.

Conclusion

This project, including its development, implementation and evaluation demonstrates strong, sound and balanced leadership. The approaches adopted resulted in a seamless project process with installation occurring on time and in budget. This project is the largest of its kind in the Campbelltown Local Government Area and Macarthur Region. Combined, the systems boast over 776 panels and are almost 200kWp in size. The benefits to the environment and Council have been noteworthy with collective reductions of 26% in electricity and 5% in cost.

Officer's Recommendation

That the information be noted.

Sub Committee Note: It was noted that there was an error within the report under History which should state: 'This is equivalent to providing electricity to 25 houses per year.' The figures were based on a daily average not an annual average.

Sub Committee's Recommendation: (Mead/Rowell)

That the information be noted.

CARRIED

7.3 Energy savings from energy efficient upgrades at HJ Daley Library

Purpose

To provide the Sub Committee with information on the energy efficiency upgrades at the HJ Daley Library.

History

During April 2012, Council's HJ Daley Library received two large-scale energy efficiency upgrades. These initiatives were partly funded by annual State Government payments and included the replacement of the old, inefficient air conditioning system and the installation of a Building Management System. Since their installation, the facility has reduced its energy consumption by 60% and cost by 45%.

Report**Background**

Since 2007, Council's energy efficiency targets have been directed by a number of key strategic documents. These documents have provided Council with a range of projects to reduce energy consumption across its top 10 energy consuming facilities.

This project was initiated in response to recommendations made within Council's most current Energy Management Plan, prepared in 2011. Additionally, annual payments received from the State Government under its Waste and Sustainability Improvement Payment (WaSIP) scheme, provided necessary financial assistance.

The HJ Daley Library is typically one of Council's top 10 highest energy consuming facilities, consuming approximately 329,652kWh of electricity during the 2012-2013 financial year. That is equivalent to providing a year's electricity needs to 30 homes. The replacement of the HJ Daley's old inefficient air conditioning system and the installation of a Building Management System were identified to be key initiatives to reducing the electricity consumption and associated maintenance costs of the facility.

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Electricity and cost savings

As with all projects of this nature, Council undertakes extensive monitoring and reporting of the systems effectiveness. This reporting has been made possible through Council's Sustainability Accounting Tool (SAT). The SAT captures historic data (from 2008-2009) and current consumption and cost information for the following six key areas – electricity, gas, water, paper, fleet and waste. It enables staff to easily see the resource consumption of the organisation or an individual facility, identify trends and anomalies in usage and develop initiatives to improve sustainability performance. The SAT has developed into a combined environmental, property and financial reporting system.

Within the first year of the initiatives replacement/installation, the facility has achieved significant reductions in electricity and cost. When compared to the year prior to the initiatives replacement/installation, Council's reliance on the electricity grid has been reduced by 499,285kWh or the equivalent of 45 houses, and cost of \$51,045. This is a reduction of 60% in electricity and 45% in cost. With 83% of the second year since installation being completed, it is promising to note that the initiatives have continued to reduce electricity and cost.

Officer's Recommendation

That the information be noted.

Sub Committee's Recommendation: (Lake/Mead)

That the information be noted.

CARRIED**7.4 Using PATH when providing person centred care****Purpose**

To advise the Sub Committee of progress in the implementation of a person centred approach to service delivery for people with a disability.

History

Council at the meeting of 13 March 2012 Community Services Committee Item 2.4 - Changes in Aged and Disability Service Provision and Funding, considered a report outlining changes to the way in which aged and disability services are provided and funded. That report included a brief explanation of person centred care and its implications.

Report

Person centred care places the person with disability at the centre of decision making about service types and delivery methods that will be provided. This approach requires service providers to listen very carefully, and to provide support and information that meets the needs as identified by clients.

The role of service providers then is to empower people with a disability, their families and carers to pursue their own goals and secure effective and cost efficient services. This approach is important because it provides people with a disability, their families, and carers with more independence and greater control over their lives.

One popular method is the use of PATH (Planning Alternative Tomorrows with Hope). This involves working with a person to clarify their vision for the future, and representing this graphically. The steps towards the vision are added to the path which takes the form of an arrow, with the

3.4 Minutes Of The Innovation And Performance Sub Committee Held 5 May 2014

vision at the tip of the arrow. The current situation and impediments are identified along with the people and resources required to make the vision real.

A simple demonstration, showing how a path is created, will be given at the May meeting of the Innovation and Performance Sub Committee.

Officer's Recommendation

That the information be noted.

Sub Committee's Recommendation: (Rowell/Mead)

That the information be noted.

CARRIED

7.5 Amarina Early Learning Centre Excellent Rating

Purpose

To advise the Sub Committee of the Excellent rating awarded to Amarina Early Learning Centre.

Report

On 10 December 2013, Amarina Early Learning Centre (ELC) was awarded the Excellent rating by the Australian Children's Education and Care Quality Authority (ACECQA). The Centre is the fifth service in the country, the first in New South Wales and the first Council operated service to ever be awarded the Excellent rating by ACECQA. The Excellent rating is the highest rating a service can achieve under the National Quality Framework for Early Childhood Education and Care.

Amarina ELC demonstrated excellence in the following areas through their innovative approaches:

- Collaborative partnerships with professional, community or research organisations
- Positive workplace culture and organisation values
- Sustained commitment to professional development and support of educators.

Amarina ELC was recognised for its innovative partnership with the Benevolent Society and together implementing the Partnership in Early Childhood (PIEC) program. This program has been running at Amarina ELC for the past seven years. A Child and Family Worker (CFC) implements the PIEC program and works with children, families and the service to provide easy access to information, advice and resources regarding attachment and child development. This PIEC program partnership model is unique in the Education and Care Services sector and ACECQA recognised this innovative approach to collaborative partnerships.

The commitment and support of educators at Amarina ELC was recognised as being outstanding by ACECQA for the implementation of an incentives and rewards program that was developed by Council's Education and Care Services section to improve motivation, increase morale and acknowledge achievements. The incentive and rewards program covers service performance, advanced education, customer feedback, professionalism and innovation. The award categories align with Campbelltown City Council's corporate values.

Professional development and ongoing learning for educators was recognised as being exceptional by ACECQA for the educational assistance budget that allows each educator or staff member to take advantage of up to \$4000 per financial year to assist with upgrading qualifications or undertaking new qualifications.

3.4 Minutes Of The Innovation And Performance Sub Committee Held 5 May 2014

The Excellent rating demonstrates Amarina ELC's commitment to continual improvement and innovative approaches to practice.

Officer's Recommendation

That the information be noted.

Sub Committee's Recommendation: (Lake/Mead)

That the information be noted.

CARRIED

7.6 Progress Report on Online Kerbside Clean-Up Bookings

Purpose

To provide the Sub Committee with updated information regarding the online booking service for kerbside clean-ups.

History

At Council's meeting on 28 June 2011, upon considered a report proposing the introduction of an online booking service for kerbside clean-ups, Council resolved:

1. To provide residents with an online booking system for kerbside clean-up services
2. That the online booking system be promoted in Council's Rates notices, the Macarthur Advertiser and Macarthur Chronicle, Council's Compass newsletter and on the home page of Council's website
3. That information about the online booking service be included in the confirmation letter provided to residents who book their clean-up over the telephone, and
4. That this item be drawn to the attention of the Innovation and Performance Committee to highlight the savings made by this initiative.

Report

The online booking service became available to residents on Council's website on 13 July 2011. Online kerbside clean-ups are promoted through local newspaper advertisements, Council's 'Compass' community newsletter, and directly to residents who book kerbside clean-ups by telephone.

Shortly before implementation of the service, the agreed target participation rate for online kerbside clean-ups was set at 10% in the first 12 months of the service being available. The graph below shows that the target participation rate was exceeded significantly. The graph further shows that the percentage of kerbside clean-ups booked online has continued to steadily increase.

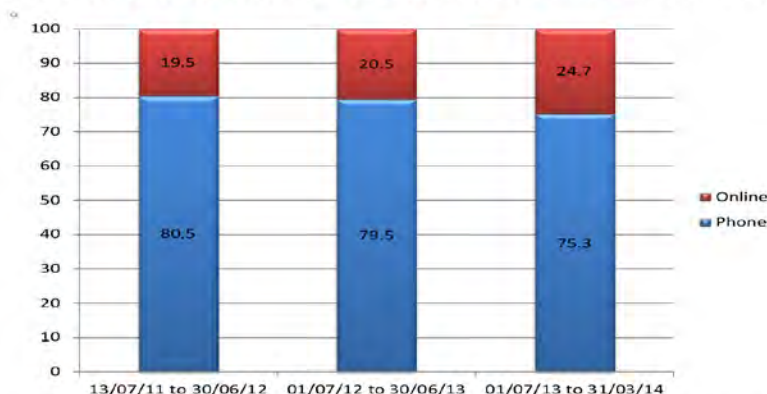


Table 1: Percentage of total Kerbside Clean-up bookings logged online and by telephone

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The current trend of 24.7% of kerbside clean-ups booked online equates to over 10,000 less incoming telephone calls per year to Council's switchboard. With an average telephone booking lasting three minutes, this represents a 500 hour per year reduction in time spent on the telephone by Customer Service staff, or just under two hours per day. This has enabled Customer Service staff to attend more promptly to other customer enquiries.

The customer participation rate for online kerbside clean-up bookings to date is an extremely pleasing result, and has exceeded all expectations. A separate flyer promoting the availability of online bookings was recently introduced. This flyer is now included with all kerbside booking confirmation letters that are sent to residents following telephone bookings. These ongoing community awareness initiatives are expected to result in an even greater proportion of kerbside clean-up bookings being made online in the future.

Officer's Recommendation

That the information be noted.

Sub Committee's Recommendation: (Mead/Rowell)

That the information be noted.

CARRIED

7.7 Specific-Day Kerbside Clean-Up Bookings

Purpose

To provide the Sub Committee with information regarding enhancements to kerbside clean-up services.

History

Up to around eight years ago, there were two identified shortcomings in Council's provision of kerbside clean-up services:

- The delay period between a customer booking a kerbside clean-up and its collection was two to three weeks; and
- Customers would be instructed to place their items on the kerbside on a given Sunday afternoon/night, but Council was unable to advise the customer which day of that following week the items would be collected.

Around eight years ago, the first shortcoming was reduced: a clean-up booked up to 4.30pm Friday is now collected the following week (with the exception of a two to three week period over Christmas/New Year when booking numbers increase substantially). However, Council staff continued to be unable to provide customers the day of the week that their clean-up would be collected. Council was unable to provide this information without entering a potentially costly variation to the domestic waste collection contract, (which did not require the contractor to collect clean-ups on specific days per suburb). This enhancement would therefore have to wait until the expiry of that contract.

Report

A new domestic waste collection contract which commenced on 1 April 2014 enabled Council to require specific-day clean-ups as a condition of the contract.

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Following the recent commencement of the contract, Campbelltown residents who book a kerbside clean-up not only have it collected the following week, but are now also advised of the specific day that it will be collected.

Residents are asked not to put their items on the kerb until the day or evening prior to their scheduled collection. Whilst it is acknowledged that some residents do not comply with this instruction, (instead placing their items out prior to booking a clean-up or on the weekend prior to the scheduled clean-up), compliance with this instruction by the majority of customers will result in less piles of clean-up waste appearing on kerbsides at any one time.

The introduction of specific-day clean-ups required some complex changes to internal workflows and Council's computerised Customer Request booking system. This significant achievement resulted from a joint working partnership between staff from Council's Waste and Recycling Services, Customer Service, and Information Management and Technology sections. Whilst a small number of 'teething problems' are anticipated as the service rolls out, early signs of the success of this initiative are encouraging.

The provision of kerbside clean-up services on a specified day, the week following the booking, as well as the provision of an online booking facility, arguably represents a higher level of customer service for kerbside clean-ups than that provided by any other Council.

Officer's Recommendation

That the information be noted.

Sub Committee's Recommendation: (Mead/Lake)

That the information be noted.

CARRIED

7.8 KP1 Audience Participation Tool

Purpose

To inform the Sub Committee of the recent purchase and application of an audience participation tool.

History

Historically course evaluations and audience participation has been completed using manual tools such as paper surveys and counting of hands. This has several draw backs including time taken to collate and publish data, as well as inaccurate data being collected where participants respond without critical evaluation by trying to minimise conflict and reach a consensus decision.

Report

Human Resources recently purchased an audience participation tool which allows for real time anonymous data capture and audience participation at forums, meetings and education sessions. Council's Learning and Development Officer intends to use the tool to streamline training sessions and assessment task questionnaires in a paperless manner as well as obtain course evaluation feedback.

The tool which operates with Microsoft PowerPoint can be used in a variety of settings including public forums, workshops, business meetings, strategic planning and much more. Through the use of a hand held key pad, audience participants can respond to questions in a range of ways. All the

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data is collected electronically and is instantly available in a graphical display which can be used to focus discussion on the key issues or highlight knowledge gaps. With the ability to collect the data in a quick and confidential manner every interaction with a group of stakeholders can be used to capture data as well as demonstrate the participants understood the information being provided. The wireless system which cost \$6,000 can be used on any computer with minimal setup time, allowing it to be used at a range of venues. Whilst the system has been configured for 60 participants it can be quickly scaled up for use with up to 500 participants through the purchase or hire of additional key pads.

The Emergency Management and Community Safety section have identified several uses for the system including perceptions of safety surveys and roads safety forums. The presentations are quick to develop and can be used repeatedly which saves a significant amount of time for the team not to mention the time saved in transposing data from paper based surveys. The results can be published instantly reducing the opportunity for claims the data has been manipulated.

This system will not only improve productivity it will also improve stakeholder engagement.

Officer's Recommendation

That the information be noted.

Sub Committee's Recommendation: (Mead/Rowell)

That the information be noted.

CARRIED**8. General Business**

There was no general business.

Councillor Sue Dobson
Chairperson

Meeting Concluded: 6.20pm

3.5 Cost Shifting Survey 2011-2012

Reporting Officer

Manager Financial Services

Attachments

The impact of Cost Shifting on Local Government in NSW (contained within this report)

Purpose

To advise Council of the results of the 2011-2012 cost shifting survey undertaken by Local Government NSW.

History

This survey is a continuation of the cost shifting survey undertaken by the *Independent Inquiry into the Financial Sustainability of the NSW Local Government for 2006* and surveys for the financial years 2005-2006 through to 2010-2011 undertaken by Local Government NSW, formerly LGSA. There were 80 councils that participated in the survey conducted during May to October 2013.

The LGSA survey conducted annually, seeks to establish the extent of cost shifting by the Australian and NSW Government's onto NSW Local Government. It measures the amount of cost shifting for a representative sample of the 152 general purpose councils in NSW, calculates a cost shifting ratio for each council and estimates the total amount of cost shifting onto the whole of NSW Local Government.

Report

According to the survey findings, cost shifting by the Australian and NSW Government's onto NSW Local Government in the financial year 2011-2012 is estimated to amount to 5.63% of Local Government's total income before capital amounts or \$521m.

The survey for 2011-2012 continues to include two cost shifting examples introduced in the survey for 2009-2010 which are contained in question 24 (revenue raising restrictions on council managed Crown lands) and question 25 (shortfall in cost recovery for assessing development applications as a result of fee regulation). Inclusive of those two new examples, cost shifting is estimated to amount to 6.28% (6.37% in 2010-2011 and 6.38% in 2009-2010) of Local Government's total income before capital amounts or \$582m.

This ratio is consistent with ratios established for previous financial years, however in absolute terms, cost shifting is estimated to have increased significantly from \$380m in 2005-2006 to \$521m in 2011-2012. For metropolitan councils, a ratio of 6.82% resulted for the sample (including the new examples 24 and 25) compared to 6.96% for 2010-2011. The survey findings found that metropolitan councils are more affected by cost shifting than rural councils. This can be attributed to cost shifting associated with the waste levy (question 21) and the provision of public libraries (question 5).

It is important to note that any estimate of cost shifting also needs to include cost shifting associated with the NSW Electoral Commission (NSWEC) being fully responsible for the Local Government elections from 2008. Election costs increased significantly in comparison to the 2004 elections and there are significant concerns over the lack of disclosure and explanation of the costs charged to the councils by the NSWEC. In total, this amounts to cost shifting associated with the 2008 Local Government elections of \$9,050,150, equalling \$2,262,537 annually over the four year electoral cycle. This annual amount is to be added to the amount of cost shifting identified in the survey of \$579,981,213 taking the total amount of cost shifting to \$582,243,750 (ratio of 6.28%).

Campbelltown City Council's total amount of cost shifting in 2011-2012 was \$5.79m equating to 4.58% of total income. Major areas of cost shifting include:

- Contribution to NSW Fire Brigade of \$908,328
- Contribution to Rural Fire Service of \$200,891
- Contribution to NSW State Emergency Service \$118,293
- Pensioner rates rebate of \$768,593
- Public Library operations of \$2,003,500
- Administration of the *Companion Animal Act (NSW) 1998* of \$245,000
- Waste Levy of \$469,922.

The 2011-2012 cost shifting amount has a significant impact on councils' finances. Local Government NSW notes that 'while the Local Infrastructure Renewal Fund worth \$100 million over five years appears to be a step in the right direction, it's completely inadequate in light of an annual cost shifting amount of \$520 million and an infrastructure renewal backlog which the Department of Premier and Cabinet place at \$7.4 billion'.

Contributions to the NSW Fire Brigade, NSW Rural Fire Service and NSW State Emergency Service, lack of adequate funding for public libraries and the NSW Government's failure to reimburse for mandatory pensioner rebates for rates are major examples. Councils are also not given sufficient financial resources for their responsibilities to regulate companion animals, manage contaminated land, control noxious weed, manage flood controls, or administer environmental regulation.

It is important to note that the survey excluded any capital expenditure related to the functional areas. Comments were provided by many councils that the inclusion of capital expenditure would significantly increase the amount of cost shifting.

The survey results help quantify the extent of cost shifting onto NSW Local Government and support Local Government's argument for that practice to end.

Local Government NSW has also advised that they will not be conducting a cost shifting survey for the financial year 2012-2013. The survey is to resume next year covering the financial year 2013-2014 and, thereafter, is to be conducted every second year.

Officer's Recommendation

That the information be noted.

Committee's Recommendation: (Borg/Kolkman)

That the Officer's Recommendation be adopted.

CARRIED

Council Meeting 3 June 2014 (Dobson/Mead)

That the Officer's Recommendation be adopted.

Council Resolution Minute Number 90

That the Officer's Recommendation be adopted.

ATTACHMENT 1



The Impact of Cost Shifting on NSW Local Government: A Survey of Councils - Financial Year 2011/12 -

Report by Local Government NSW

2013

KEY FINDINGS

Survey baseline (questions 1 to 23)

According to Local Government NSW (LGNSW)'s cost shifting survey, cost shifting by the Australian and NSW Government on to NSW Local Government in the financial year 2011/12 is estimated to amount to 5.63% of Local Government's total income before capital amounts or \$521 million.¹

This ratio is consistent with ratios established for previous financial years (5.72% for the financial year 2010/11; 5.74% for 2009/10 and 2008/09; 5.92% for 2007/08; 5.95% for 2006/07; and 5.84% for 2005/06). In absolute terms, cost shifting is estimated to have increased significantly from \$380 million in 2005/06 to \$521 million in 2011/12.

Survey baseline plus additional questions 24 and 25

The survey for 2011/12 continues including two cost shifting examples introduced in the survey for 2009/10 which are contained in question 24 (revenue raising restrictions on council managed Crown lands) and question 25 (shortfall in cost recovery for assessing development applications as a result of fee regulation). Inclusive of those two new examples, cost shifting is estimated to amount to 6.28% (6.37% in 2010/11 and 6.38% in 2009/10) of Local Government's total income before capital amounts or \$582 million.²

INTRODUCTION

The LGNSW cost shifting survey is an annual survey which seeks to establish the extent of cost shifting by the Australian and NSW Governments on to NSW Local Government. The survey measures the amount of cost shifting for a representative sample of the 152 general purpose councils in NSW, calculates a cost shifting ratio for each council in the sample and for the whole sample and extrapolates, from the sample ratio, an estimate of the amount of cost shifting on to the whole of NSW Local Government.

This report provides the findings of LGNSW's cost shifting survey for the financial year 2011/12. 80 councils participated in the survey which was conducted during May to October 2013. The LGNSW would like to thank all councils and the staff involved for their participation.

The survey is a continuation of the cost shifting survey for the financial year 2004/05 undertaken by the *Independent Inquiry into the Financial Sustainability of NSW Local Government* in 2006³ and the surveys for the financial years 2005/06, 2006/07, 2007/08, 2008/09, 2009/10 and 2010/11 undertaken by LGNSW.⁴

The survey is based on the work of the *Independent Inquiry into the Financial Sustainability of NSW Local Government* which recognised that more "hard data" about cost shifting was required. Recommendation 4 of the inquiry recommended that LGNSW build on its work and undertake an annual survey of all councils to measure and monitor the total amount of cost shifting on to NSW Local Government. Accordingly, LGNSW commenced undertaking an annual cost shifting survey, with the first survey undertaken for the financial year 2005/06.

The survey results help quantify the extent of cost shifting onto NSW Local Government and support Local Government's argument for that practice to end. It also assists in monitoring compliance with the national *Intergovernmental Agreement Establishing Principles Guiding Intergovernmental Relations on Local Government Matters, (2006)*.

¹ Includes cost shifting associated with the 2008 Local Government election, see below.

² Ibid.

³ Independent Inquiry into the Financial Sustainability of NSW Local Government, *Final Report: Findings and Recommendations*, (2006), page 66-72.

⁴ See for survey reports the LGNSW website at www.lgnsw.org.au/policy/finance/cost-shifting-survey.

WHAT IS COST SHIFTING?

Cost shifting describes a situation where the responsibility for, or merely the costs of, providing a certain service, concession, asset or regulatory function are “shifted” from a higher sphere of government on to a lower sphere of government without the provision of corresponding funding or the conferral of corresponding and adequate revenue raising capacity.⁵

The definition adopted for the survey is based on the definition used in the survey undertaken for the *Independent Inquiry into the Financial Sustainability of NSW Local Government in 2006*.⁶ The following cost shifting scenarios are covered:

- (The cost related to) the imposition of responsibility for providing a certain service, asset or regulatory functions upon Local Government by other spheres of government (Australian or State Government) without the provision of corresponding funding or compensation or the conferral of corresponding and adequate revenue raising capacity.
- (The cost related to) the transfer of responsibility to Local Government for funding a certain service or function (including concessions and rebates) where the responsibility for funding of which lies with other spheres of government.⁷
- (The cost related to) the situation where Local Government agrees to provide a service/function on behalf of another sphere of government but funding is subsequently reduced or stopped, and Local Government is unable to withdraw because of community demand for the service/function.
- (The cost related to) the situation where, for whatever reason, another sphere of government ceases to provide or provides insufficient levels of a service/function it is responsible for and Local Government steps in because of community of demand for the service/function.

PARTICIPATION

The survey for 2011/12 was provided online and was accessible to all 152 general purpose councils in NSW during a period of about ten weeks during May, June and July 2013. 80 councils completed the survey.

During August to November 2013, returned surveys were assessed and issues clarified with councils. Seven returned surveys were rejected from the sample. Rejection took place in the following circumstances:

- Returned surveys were incomplete;
- Doubtful data could not be satisfactorily clarified with council; or
- Cost estimates could not be provided in more than 25 per cent of the 26 functional areas.

Of the 73 councils included in the final sample, 22 are classified metropolitan; 29 urban regional and 22 rural.⁸

⁵ This description does not necessarily address the question of which sphere of government should be assigned a particular expenditure function.

⁶ Independent Inquiry, op cit, pages 67 to 70; Moege S, *The Impact of Cost Shifting on Local Government in NSW - A Survey of Councils*, (2006).

⁷ Mere price increases (as long as they are appropriate and apply to all service recipients equally) are not considered cost shifting. In the context of payments to state government agencies, cost shifting can only occur where cost related to a service/function are transferred onto Local Government even though responsibility for funding lies with other spheres of government (e.g. pensioner rate rebates). This is not the case where Local Government pays for a service like all other recipients.

⁸ The classification is based on the Australian Classification of Local Government. Metropolitan councils include the sub-classifications “capital city” (UCC), “metropolitan developed” (UD...), and “fringe” (UF...) if within the Sydney metropolitan area; urban regional councils include the sub-classifications “regional town/city” and “fringe” if outside the Sydney metropolitan area; rural councils include all rural sub-classifications (R...).

METHODOLOGY

The survey establishes the following figures:

Cost shifting amount for each participating council

The survey establishes the total amount of cost shifting based on the council estimates of the net ongoing cost (excluding capital expenditure) for each of the 26 functional areas identified by the survey. Councils were invited to add further financially significant examples of cost shifting. These additional examples were accepted where they were considered consistent with the survey's approach towards cost shifting. A list of the 26 functional areas can be found as appendix A to this report.

Two new cost shifting examples continue being included since the survey for 2009/10:

- *Question/example 24 - Revenue limitations on crown reserve land under council management*
Cost in \$ associated with limitations imposed by the State Government on revenue raising ability on council managed crown reserve land or requirements to transfer revenue from council managed crown reserve land to the State Government.
- *Question/example 25 - Processing of development applications*
Cost in \$ of processing development applications under the *Environmental Planning and Assessment Act (NSW) 1979* and associated regulations less any revenue related to this function (e.g. development application fees, state government payments/subsidies).

Net ongoing costs generally refer to the total annual cost of providing the service or function (operational and administrative, excluding capital expenditure) less any annual revenue related to the provision of the service or function, (e.g. grants or subsidies from the NSW or Australian Government, fees or contributions collected by councils).

For consistency purposes, councils were asked to exclude corporate overheads and base their estimate of the direct net ongoing costs only.

In the instance that councils were unable to provide an actual estimate they were given two following options which both received a cost value of "zero":

- "n/a" (not applicable) if the functional area does not apply; or
- "unable" (unable to reliably estimate) if the functional area applies to council but council is unable to reliably estimate the cost.

Cost shifting ratio for each council

As a second step, the survey establishes the cost shifting ratio for each individual council by dividing the cost shifting amount established for the council by the council's total income from operations before capital amounts.⁹

Cost shifting ratio for sample

As a third step, the survey establishes the cost shifting ratio for the sample councils by dividing the cost shifting amount established for the sample of councils by the sample's total income from operations before capital amounts.

Cost shifting amount for all councils in NSW

Finally, the survey extrapolates the total amount of cost shifting on to NSW Local Government in NSW by applying the established cost shifting ratio for the sample to the total income from operations before capital amounts of all NSW councils.

⁹ Total income from continuing operations less grants and contributions provided for capital purposes, less profit from disposal of assets, and less profit from interests in joint ventures & associates as shown in the income statement of council's financial statements.

FINDINGS

Table 1 below shows the survey findings for individual councils and council groups for the financial year 2011/12.

Table 1: Proportion of cost shifting in relation to total ordinary revenue for the sample of 73 NSW councils, 2011/12

Council	ACLG Cl.	Total income from operations before capital amounts in \$	Excluding questions 24 and 25		Including questions 24 and 25	
			Total amount of cost shifting in \$	Proportion of cost shifting in relation to total income	Total amount of cost shifting in \$	Proportion of cost shifting in relation to total income
Metropolitan						
Ashfield Council	UDM	32,189,000	3,793,322	11.78%	4,357,139	13.54%
Bankstown City Council	UDV	136,100,000	14,590,469	10.72%	15,822,663	11.63%
Blacktown City Council	UDV	237,985,000	10,970,381	4.61%	11,277,405	4.74%
Botany Bay City Council	UDM	46,837,000	2,480,455	5.30%	4,130,455	8.82%
Burwood Council	UDM	39,197,000	2,906,451	7.41%	3,412,028	8.70%
Camden Council	UFM	64,906,000	3,925,784	6.05%	3,925,784	6.05%
Campbelltown City Council	UFV	126,494,000	5,763,156	4.56%	5,790,261	4.58%
Canada Bay City Council	UDM	67,461,000	3,765,195	5.58%	4,131,413	6.12%
Hornsby Shire Council	UFV	111,806,000	7,913,706	7.08%	8,982,700	8.03%
Hunters Hill Council	UDS	12,587,000	1,096,722	8.71%	1,440,552	11.44%
Kogarah City Council	UDL	43,150,000	3,745,300	8.68%	3,745,300	8.68%
Ku-ring-gai Council	UDM	98,425,000	6,842,775	6.95%	6,939,512	7.05%
Lane Cove Council	UDM	36,953,000	3,404,393	9.21%	4,764,393	12.89%
Leichhardt Municipal Council	UDM	76,792,000	4,470,457	5.82%	5,817,876	7.58%
Liverpool City Council	UFV	141,779,000	9,143,684	6.45%	9,270,411	6.54%
Parramatta City Council	UDV	179,130,000	9,129,285	5.10%	12,559,449	7.01%
Penrith City Council	UFV	179,499,000	9,981,137	5.56%	11,463,774	6.39%
Pittwater Council	UDM	67,780,000	6,036,639	8.91%	6,476,539	9.56%
Randwick City Council	UDV	117,315,000	9,289,466	7.92%	10,381,351	8.85%
Sutherland Shire Council	UDV	189,306,000	17,038,679	9.00%	17,257,517	9.12%
Sydney City Council	UCC	481,762,630	11,619,527	2.41%	15,893,110	3.30%
Warringah Council	UDV	138,273,000	9,134,320	6.61%	11,156,426	8.07%
Summary Metropolitan		2,625,726,630	157,041,303	5.98%	178,996,058	6.82%

Council	ACLG Cl.	Total income from operations before capital amounts in \$	Excluding questions 24 and 25		Including questions 24 and 25	
			Total amount of cost shifting in \$	Proportion of cost shifting in relation to total income	Total amount of cost shifting in \$	Proportion of cost shifting in relation to total income
Urban Regional						
Bathurst Regional Council	URM	72,428,000	1,982,431	2.74%	2,105,936	2.91%
Bega Valley Shire Council	URM	81,327,000	2,673,204	3.29%	3,451,650	4.24%
Blue Mountains City Council	UFL	95,723,000	5,718,192	5.97%	6,932,172	7.24%
Broken Hill City Council	URS	31,505,000	1,293,648	4.11%	1,363,648	4.33%
Cessnock City Council	URM	59,141,000	9,090,597	15.37%	10,286,597	17.39%
Clarence Valley Council	URM	111,096,000	4,827,157	4.35%	5,603,625	5.04%
Coffs Harbour City Council	URL	128,278,000	3,907,428	3.05%	4,381,514	3.42%
Dubbo City Council	URM	80,917,000	2,678,601	3.31%	3,139,859	3.88%
Gosford City Council	UFV	230,654,000	7,318,352	3.17%	7,423,352	3.22%
Greater Taree City Council	URM	56,080,000	4,085,638	7.29%	4,487,786	8.00%
Griffith City Council	URS	48,519,000	1,147,889	2.37%	1,147,889	2.37%
Hawkesbury City Council	UFM	59,702,000	4,819,929	8.07%	4,962,262	8.31%
Kempsey Shire Council	URS	51,821,000	3,369,714	6.50%	3,951,605	7.63%
Kiama Municipal Council	URS	48,311,000	1,636,812	3.39%	1,739,312	3.60%
Lake Macquarie City Council	URV	175,285,000	17,278,216	9.86%	18,082,216	10.32%
Mid-Western Regional Council	URS	51,686,000	1,849,113	3.58%	2,343,668	4.53%
Newcastle City Council	URV	211,197,000	13,742,011	6.51%	13,796,967	6.53%
Orange City Council	URM	77,566,000	2,691,339	3.47%	3,582,366	4.62%
Port Macquarie-Hastings Council	URL	121,203,000	4,914,612	4.05%	4,914,612	4.05%
Port Stephens Council	URM	95,529,000	4,445,194	4.65%	5,245,194	5.49%
Shellharbour City Council	URM	66,017,000	6,211,090	9.41%	6,350,266	9.62%
Shoalhaven City Council	URL	177,482,000	10,014,352	5.64%	12,178,810	6.86%
Tamworth Regional Council	URM	113,220,000	3,252,986	2.87%	3,348,881	2.96%
Tweed Shire Council	URL	153,944,000	4,931,296	3.20%	4,931,296	3.20%
Wagga Wagga City Council	URM	108,133,000	2,832,367	2.62%	3,391,367	3.14%
Wingecarribee Shire Council	URM	76,866,000	2,922,335	3.80%	3,096,728	4.03%
Wollondilly Shire Council	UFM	40,132,000	2,608,569	6.50%	2,827,863	7.05%

Council	ACLG Cl.	Total income from operations before capital amounts in \$	Excluding questions 24 and 25		Including questions 24 and 25	
			Total amount of cost shifting in \$	Proportion of cost shifting in relation to total income	Total amount of cost shifting in \$	Proportion of cost shifting in relation to total income
Wollongong City Council	URV	218,708,000	21,974,661	10.05%	24,877,276	11.37%
Wyong Shire Council	UFV	223,364,000	18,423,527	8.25%	19,423,086	8.70%
Summary Urban Regional		3,065,834,000	172,641,260	5.63%	189,367,803	6.18%
Rural						
Bland Shire Council	RAL	24,213,000	832,154	3.44%	832,154	3.44%
Blayney Shire Council	RAL	13,877,000	454,873	3.28%	602,181	4.34%
Bourke Shire Council	RAM	19,626,000	795,922	4.06%	795,922	4.06%
Cabonne Shire Council	RAV	35,428,000	1,388,586	3.92%	1,448,586	4.09%
Cootamundra Shire Council	RAL	15,785,000	550,233	3.49%	632,233	4.01%
Dungog Shire Council	RAL	13,340,000	739,718	5.55%	1,109,562	8.32%
Gloucester Shire Council	RAL	11,614,000	889,690	7.66%	954,507	8.22%
Gunnedah Shire Council	RAV	34,687,000	1,156,199	3.33%	1,631,091	4.70%
Inverell Shire Council	RAV	33,962,000	1,450,148	4.27%	1,803,122	5.31%
Junee Shire Council	RAL	13,052,000	476,630	3.65%	476,630	3.65%
Leeton Shire Council	RAV	23,807,000	803,181	3.37%	908,955	3.82%
Liverpool Plains Shire Council	RAL	19,561,000	725,308	3.71%	725,308	3.71%
Moree Plains Shire Council	RAV	55,046,000	950,433	1.73%	971,522	1.76%
Narromine Shire Council	RAL	18,817,000	671,625	3.57%	671,625	3.57%
Snowy River Shire Council	RAL	24,591,193	569,821	2.32%	772,744	3.14%
Tumut Shire Council	RAV	30,421,000	1,098,100	3.61%	1,098,100	3.61%
Upper Hunter Shire Council	RAV	33,453,000	1,313,027	3.92%	1,313,027	3.92%
Upper Lachlan Shire Council	RAL	25,777,000	835,586	3.24%	845,086	3.28%
Urana Shire Council	RAS	9,462,000	352,135	3.72%	366,335	3.87%
Warren Shire Council	RAM	14,219,000	442,341	3.11%	501,823	3.53%
Warrumbungle Shire Council	RAV	33,144,000	1,098,755	3.32%	1,108,564	3.34%
Yass Valley Council	RAV	25,646,000	1,254,821	4.89%	1,373,237	5.35%
Summary Rural		529,528,193	18,849,286	3.56%	20,942,314	3.95%
Total sample		6,221,088,823	348,531,849	5.60%	389,306,175	6.26%

DISCUSSION OF FINDINGS

Survey findings

As shown above, the cost shifting ratio for the complete survey sample is 5.60% of total income before capital amounts. This ratio is consistent with ratios established for previous financial years (5.70% for 2010/11; 5.72% for 2009/10 and 2008/09; 5.92% for 2007/08 5.95% for 2006/07 and 5.84% for the financial year 2005/06). Including the new examples contained in questions 24 and 25, the ratio increases to 6.26% (6.34% in 2010/11 and 6.35% in 2009/10) with question 25 alone adding \$39,668,264 to the sample cost shifting amount.

The findings for each of the three groups of councils (metropolitan, urban regional and rural) are reasonably consistent in the last four financial years. For 2011/12 the cost shifting ratio is:

- 5.98% for the sample of metropolitan councils (6.82% including the new examples 24 and 25; 6.96% in 2010/11 and 6.98% for 2009/10) compared to 6.20% in 2010/11, 6.30% for 2009/10, 6.21% for 2008/09, 6.62% for 2007/08, 6.3% for 2006/07 and 6.1% for 2005/06;
- 5.63% for the sample of urban regional councils (6.18% including the new examples 24 and 25; 6.06% in 2010/11 and 6.09% for 2009/10) compared to 5.49% in 2010/11, 5.47% for 2009/10, 5.44% for 2008/09, 5.63% for 2007/08, 6.0% for 2006/07 and 5.9% for 2005/06; and
- 3.56% for the sample of rural councils (3.95% including the new examples 24 and 25; 4.23% in 2010/11 and 4.45% for 2009/10) compared to 3.88% in 2010/11, 4.04% for 2009/10, 4.11% for 2008/09, 4.22% for 2007/08, 4.5% for 2006/07 and 4.5% for 2005/06.

This group comparison shows that metropolitan councils and, to a lesser extent, urban regional councils suffer more from cost shifting than rural councils. This can be explained by a number of factors including the greater exposure of urban regional councils and, particularly, metropolitan councils to cost shifting associated with the waste levy (question 21) and the provision of public libraries (question 5). The table in appendix B shows the cost shifting ratio for each council group in the sample for each individual question.

By applying the established cost shifting ratio of 5.60% to the figure of total income from operations before capital for 2011/12 for all NSW councils (\$9,268,064,244),¹⁰ the amount of cost shifting onto Local Government in NSW (i.e. all 152 general purpose councils) is calculated as being \$519,236,368. Including the new examples contained in questions 24 and 25, the amount of cost shifting onto Local Government in NSW (i.e. all 152 general purpose councils) is calculated as being \$579,981,213 (ratio of 6.26%).

Only a small portion of cost shifting can be attributed to the Australian Government (0.18% of total cost shifting or just over \$712,000 for immigration and citizenship ceremonies (question 12); about 0.30% of total cost shifting or just over \$1,164,000 for half of the funding shortfall in the flood mitigation program (question 16) and an unidentified proportion of the funding shortfall in community and human services which represent 3.04% of total cost shifting or just over \$11,830,000 (question 20)).¹¹ The remainder is attributed to the NSW Government.

Election cost

Any estimate of cost shifting also needs to include cost shifting associated with making the NSW Electoral Commission (NSWEC) fully responsible for the provision of, and implementing a full cost recovery model for, the Local Government elections in 2008.¹² Election costs increased

¹⁰ The NSW Department of Premier and Cabinet, Division of Local Government provided data on the total income from continuing operations before grants and contributions provided for capital purposes, gains from asset sales, and gains from interests in joint ventures as shown in the statement of financial performance of all 152 NSW general purpose councils for the financial year 2011/12 on 15 October 2013.

¹¹ Calculation based on baseline plus questions 24 and 25 scenario.

¹² In 2003/2004, following review of the State Electoral Office by the NSW Council on the Cost and Quality of Government, the NSW Government required the NSWEC to charge the full cost of providing Local Government elections. As part of this change the NSWEC became fully responsible for the provision of elections. This commenced after the 2004 Local Government elections with Local Government by-elections from that point being conducted by the NSWEC on a full cost recovery basis. The 2008 Local Government elections were the first occasion the full cost recovery model was implemented across NSW in a general Local Government election. With the election of the O'Farrell Government this policy was changed and council can run election again by themselves as of June 2011. Calculated election costs will therefore only be included over the four relevant financial years 08/09, 09/10, 10/11 and 11/12.

significantly in comparison to the 2004 elections and there are significant concerns over the lack of disclosure and explanation of the cost charged to councils by the NSWEC.¹³

For the purpose of estimating the cost shifting involved in the running of the 2008 elections, the survey firstly focussed on selected items in the NSW Electoral Commission's expenditure¹⁴ that appear either not to have been necessary and/or efficient or lack transparency as to whether they were necessary and/or efficient. The following expenditure items were included:

- Overcharging associated with the NSWEC Administration Fee: \$1,200,635
The NSWEC charged councils an administration fee of \$2,295,890. According to the NSWEC, this fee was based on resources of 18 staff for 19 weeks and 35 hours a week¹⁵, i.e. an hourly staff rate of 191.80. Apart from the fact that it is unclear what this fee was charged for, it appears to be overstated. The average hourly staff rate of NSWEC staff, according to its annual report 2008/09, was \$91.50 which the survey assumes as efficient cost.¹⁶ Applying the efficient hourly staff rate of \$91.50, the administration fee should have been \$ 1,095,255. This amounts to an overcharging of \$1,200,635.
- Overcharging associated with payroll processing: \$293,440
According to the NSWEC, the cost for payroll processing was \$293,440. However, it is assumed that the cost of processing of payroll should be covered by the administration fee mentioned above. Therefore, the total amount is considered cost shifting.
- Unnecessary charging for maintenance of electoral rolls: \$367,740
Electoral rolls are maintained for federal and state election. No further costs are involved in using these rolls for Local Government elections.¹⁷

Secondly, the survey also considers as cost shifting the failure to return revenue from penalty notices to Local Government, amounting to \$7,188,335. Revenue from penalty notices should be returned to the Local Government area they were issued in as the NSWEC is to fully recover its cost from charging councils and does not require any additional revenue for the running of Local Government elections. Revenue from penalty notices has not been returned and neither NSWEC nor NSW Treasury has provided any information on revenue collected. According to the NSWEC, 398,489 penalty notices were issued and 130,697 of those referred to the State Debt Recovery Office¹⁸ with the penalty amount being \$55 per notice.¹⁹ Assuming 130,697 recoverable penalty notices, this represents potential gross revenue of \$7,188,335. In the absence of any disclosure of actual revenue from penalty notices by the NSWEC, the full gross amount is regarded as cost shifting.

In total, this amounts to cost shifting associated with the 2008 Local Government elections of \$9,050,150. Spreading this amount over the electoral cycle of four years, the annual amount is \$2,262,537.²⁰ This annual amount is to be added to the amount of cost shifting identified in the survey of \$519,236,368 (\$579,981,213 including the new questions 24 and 25) taking the total amount of cost shifting to \$521,498,905 (ratio of 5.63%) or \$582,243,750 including the new questions 24 and 25 (ratio of 6.28%).

¹³ See LGSA, Submission to the Inquiry into 2008 Local Government Election, (June 2009) and supplementary submission (September 2009).

¹⁴ Total itemised expenditure for the 2008 Local Government Election was not available from the NSWEC and was calculated by LGNSW on the basis of individual council invoices and expenditure items therein as disclosed in NSWEC, Report on the Local Government Elections 2008, (2008), appendix 14.

¹⁵ Letter from the NSWEC to LGNSW of 28 July 2008.

¹⁶ See for the methodology: LGNSW, Submission to the Inquiry into 2008 Local Government Election, (2009), pages 10ff. Total employee related expenses for the NSWEC in 2008/09 amounted to \$5.995m with 36 permanent staff employed (NSWEC, Annual Report 2008/09, pages 62 and 85). This represents an hourly staff rate of \$91.50 (52 weeks and 35 hours per week).

¹⁷ It needs to be noted that Local Government already carries the cost of maintaining non-residential rolls (i.e. register of land owners who do not reside in council area) and thus participate in the cost for electoral rolls.

¹⁸ See NSWEC, Report on the Local Government Elections 2008, (2008), page 127. According to this report, across NSW 672,794 electors failed to vote at the 2008 Local Government elections (page 126).

¹⁹ See section 314 of the *Local Government Act (NSW) 1993* and section 17 of the *Crimes (Sentencing and Procedure) Act (NSW) 1999* and section 120C of the *Parliamentary Electorates and Elections Act (NSW) 1912*.

²⁰ It needs to be noted that the calculation of cost shifting associated with the 2008 Local Government elections does not take into account in kind contributions by councils for work that should have been performed by the NSWEC.

Final results

Table 2 outlines the results of the surveys undertaken so far by LGNSW (financial years 2005/06, 2006/07, 2007/08, 2008/09, 2009/10, 2010/11 and 2011/12).

Table 2: Ratio and total amount of cost shifting onto NSW Local Government

Financial year	Sample size (no. of councils)	Total income from operations before capital amounts for all NSW councils	Ratio and total amount of cost shifting Survey baseline (questions 1 to 23)	Ratio and total amount of cost shifting Baseline plus 2008 election cost shift	Ratio and total amount of cost shifting Baseline plus questions 24 and 25	Ratio and total amount of cost shifting Baseline plus questions 24 and 25 and 2008 election cost shift
2011/12	73	9,268,064,244	5.60% \$519,236,368	5.63% \$521,498,905	6.26% \$579,981,213	6.28% \$582,243,750
2010/11	76	\$8,723,492,462	5.70% \$497,038,850	5.72% \$499,301,387	6.34% \$553,033,109	6.37% \$555,295,646
2009/10	84	\$8,209,306,141	5.72% \$469,191,741	5.74% \$471,454,278	6.35% \$521,626,171	6.38% \$523,888,708
2008/09	69	\$7,664,066,547	5.72% \$438,007,674	5.74% \$440,270,211	n/a**	n/a**
2007/08	65	\$7,280,361,566	5.92% \$431,284,746	n/a*	n/a**	n/a**
2006/07	84	\$6,928,487,164	5.95% \$412,244,986	n/a*	n/a**	n/a**
2005/06	84	\$6,502,482,000	5.84% \$379,744,949	n/a*	n/a**	n/a**

*Cost shifting associated with the 2008 Local Government election is distributed among the relevant financial years 08/09, 09/10, 10/11 and 11/12.

**Questions 24 and 25 were included for the first time in the survey for 09/10.

As table 2 shows, in absolute terms, cost shifting on to NSW Local Government is estimated to have increased significantly from approximately \$380 million in 2005/06, \$412 million in 2006/07, \$431 million in 2007/08, \$440 million in 2008/09, \$471 million (\$524 million including the new questions 24 and 25) in 2009/10, and \$499 million (\$555 million including the new questions 24 and 25) in 2010/11 to approximately \$521 million (\$582 million including the new questions 24 and 25) in 2011/12.

Others

Finally, the cost shifting ratio and amount established by the survey can be regarded as conservative for several reasons:

- Although councils were encouraged to add financially significant examples, councils basically worked within the 26 functional areas identified in the survey.
- The survey asked councils to exclude corporate overheads from the individual cost estimates for each cost shifting area. The addition of corporate overheads could increase costs by around 10% based on the average corporate overheads ratio established by the Independent Inquiry into the Financial Sustainability of NSW Local Government in a separate survey.²¹
- If councils were not able to reliably estimate the cost of individual areas of cost shifting these areas got a zero costing.²²
- Lastly, and importantly, the survey, for most functional areas questioned, excluded any capital expenditure related to the functional areas and comments were provided by many councils that the inclusion of capital expenditure would significantly increase the amount of cost shifting.

²¹ DG & AB Maxwell, *Corporate Overheads of Local Government*, (2006), page 14; Local Government Inquiry, *Interim Report: Findings and Options*, table 10.2, page 201.

²² Unless returned surveys were rejected because cost estimates could not be provided in more than 25 per cent of the 26 functional areas.

APPENDIX A - LIST OF THE 26 FUNCTIONAL AREAS

1. Contribution to Fire and Rescue NSW.
 2. Contribution to NSW Rural Fire Service.
 - 2a. Contribution to NSW State Emergency Service.
 3. Pensioners rates rebates.
Net cost in \$ incurred due to mandatory pensioners rebates for rates and charges (total amount of mandatory concession minus state reimbursement). Please do not include in your calculation rebates for water supply and sewerage charges as these charges are subject to a separate fund and cost can be recovered across all users.

NSW is the only state that requires councils to fund approximately half the cost of mandatory pensioner concessions (ss575-584 of the Local Government Act (NSW) 1993).
 4. Voluntary conservation agreements
Net cost in \$ incurred due to rate exemptions as a result of voluntary conservation agreements.

Pursuant to section 555 of the *Local Government Act (NSW) 1993*, land (or the proportion of the landholding) that is subject to a voluntary conservation agreement between the landowner and the relevant NSW Minister (environment portfolio) under section 69 of the *National Parks and Wildlife Act (NSW) 1974* is exempt from all council rates.
 5. Public library operations.
Cost in \$ representing the proportion of operational expenditure that was not funded by the State Government but would have been funded had the original funding arrangement of a State Government subsidy of half the amount expended by council on the operation of libraries been applied (i.e. shortfall between actual State Government subsidies (prescribed amount pursuant to s13(4)(b) Library Act (NSW) 1939 and the regulation) and the subsidy council would have been eligible for pursuant to s13(4)(a) Library Act (NSW) 1939 (the original funding arrangement of a state subsidy of half the amount expended by council on the operation of libraries from rate income).

Do not include capital expenditure. Do not enter the total operational expenditure for libraries. Please explain if your figure is larger than half the expenses from continuing operations for public libraries in special schedule 1 of your financial statements.
 6. Shortfall in cost recovery for regulation of on-site sewerage facilities.
Cost in \$ of services/functions less any revenue related to them (fees, state government payments/subsidies). Please only include necessary costs that cannot be recovered as a result of regulatory constraints. Do not include capital expenditure.

Councils are required to regulate the installation, approve and monitor the operation and keep a register of all on-site sewage management systems (Local Government Act (NSW) 1993).
 7. Shortfall in cost recovery for administration of the Companion Animal Act (NSW) 1998.
Cost in \$ of services/functions less any revenue related to them (fees, state government payments/subsidies). Do not include capital expenditure.

Councils' role was expanded from a pure enforcement role to a regulatory body with functions including preparation of companion animal management plan, operation of lifetime registration system, separation of cats and dogs, maintaining facilities,
-

enforcement, and the collection of fees for the Department of Local Government which returns only a small proportion of those fees to Local Government.

8. Shortfall in cost recovery for administration of Contaminated Land Management Act (NSW) 1997.

Cost in \$ of regulatory services/functions less any revenue related to them (fees, state government payments/subsidies). Do not include capital expenditure.

Councils are required to respond to contaminated land issues, undertake the administration, registration and mapping of contaminated sites not regulated by the NSW Environment Protection Authority, develop policies, and consider contamination in land-use planning processes.

9. Shortfall in cost recovery for functions under the Protection of the Environment Operations Act (NSW) 1997.

Cost in \$ of services/functions less any revenue related to them (fees, state government payments/subsidies).

Councils are required to administer the licensing system and enforce protective regulation (issuing of environmental notices, prosecution of environmental offences, undertaking of environmental audits) in relation to all non-scheduled activities not regulated by the NSW Environment Protection Authority.

10. Shortfall in cost recovery for functions as control authority for noxious weed.

Cost in \$ of regulatory services/functions less any revenue related to them (fees, state government payments/subsidies; e.g. grants from the NSW Department of Primary Industries) or cost in \$ of net contributions to other authorities for reasonably necessary regulation of noxious weeds on land other than council land and council managed Crown land. Do not include cost of other environmental weeds control or general bushland care. Do not include capital expenditure.

Councils are required to regulate and control noxious weeds pursuant to the Noxious Weeds Act (NSW) 1993 and s183 of the Local Government Act (NSW) 1993.

11. Functions under the Rural Fires Act (NSW) 1997.

Cost in \$ of services/functions less any revenue related to them (fees, state government payments/subsidies). Do not include capital expenditure. Please do not include the contributions to the Rural Fire Service and NSW Fire Brigade covered in questions 1 and 2.

Councils are required to administer and remedy complaints about fire hazards on council property, and to map and administer bushfire prone land (e.g. asset protection work, fire trails). Please include net cost of assistance provided to the Rural Fire Service to fight bushfires declared under s44 of the Rural Fires Act (NSW) 1997 on any land within the council area.

12. Immigration services and citizenship ceremonies.

Cost in \$ of providing these services less any revenue related to them (fees, state government payments/subsidies).

13. Shortfall in cost recovery for administering food safety regulation.

Cost in \$ of services/functions less any revenue related to them (fees, state government payments/subsidies). Please only include necessary costs that cannot be recovered as a result of regulatory constraints.

Councils are required to undertake registration and inspection of food and food premises under the Food Act (NSW) 2003.

14. Provision of educational services.

Net cost in \$ of providing educational services due to the State Government's withdrawal from providing educational services that should be state government responsibility (e.g. sporting facilities used by public schools, education programs, classes for disadvantaged children in youth centres, but not child care as such). Do not include capital expenditure.

Please do not include council education programs the state government would not be responsible for (e.g. waste and sustainability education).

Where facilities are used by other governments (e.g. public schools) please estimate the proportion of operation and maintenance cost allocated to the use by the other level of government (not the total cost of operating the facility).

15. Crime prevention/policing.

Net cost in \$ of crime prevention/policing services in public spaces necessary because of insufficient services by other levels of government (e.g. CCTV surveillance, security patrols, crime prevention programs).

Please note that this only applies to crime prevention or policing activities that should have been undertaken by the state government (e.g. police). It should not include council activities to protect community from other risks (e.g. surfer and swimmer injuries (beach patrols), safety at council events, or security of council facilities). Do not include capital expenditure.

16. Flood Mitigation program.

Cost in \$ representing the proportion of expenditure that was not funded by other spheres of government but would have been funded had the original funding arrangement been applied (originally the Australian Government and State Government provided 80% of the required funds; whereas now the Australian Government provides one third and the State Government is required to provide another one third, and the rest has to be made up by council). Please estimate shortfall in actual funding from other spheres of government in comparison with what council would have obtained under the original funding arrangement.

Please only include activities that are eligible for or receive funding from other spheres of government under the flood mitigation program. Please include in your calculation funding for infrastructure projects.

17. Transfer of responsibilities for roads under RMS road reclassification reviews.

Net cost (only operational) in \$ inherited due to reclassification of regionally important roads as local roads or state-important roads as regional or even local roads (starting with the significant reclassifications in the early 1990s). Please deduct any compensation associated with a reclassification.

18. Medical services.

Net cost in \$ of providing medical services necessary because of insufficient services by other spheres of government (e.g. retaining general practitioners, nurses and dentists; aboriginal and other medical services required by the community). Do not include capital expenditure.

19. Road safety.

Net cost in \$ of road safety officer/road safety program necessary due to the NSW Government's (RMS) withdrawal of funding or cost of net contribution to other authorities that provide such officer/program. Do not include capital expenditure.

20. Community and human services.

Net cost in \$ of all programs necessary to the community where other spheres of government have initiated the program and initially provided adequate funds but now

provide inadequate funds or have withdrawn completely; e.g. State Government contribution do not increase in line with these actual costs (e.g. employment cost); i.e. the shortfall between adequate and actual funding for such programs that were initiated by other spheres of government. Do not include capital expenditure.

Community and human services include children service program, aged and disabled care programs, community development/liaison programs, youth development programs, aboriginal community programs, cultural development programs etc.

21. Waste levy.

Cost in \$ of paying levy to the State Government dependant on the amount of waste produced by council less any amounts recovered through meeting waste performance criteria (section 88 of the Protection of the Environment Operations Act (NSW) 1997 and Protection of the Environment Operations (Waste) Regulations (NSW) 2005).

The waste levy applies to the Sydney metropolitan area; the Illawarra, Hunter and Central Coast area (extended regulated area); and the area including the Blue Mountains, Wollondilly and local government areas along the coast north of Port Stephens to the Queensland border (regional regulated area).

Please provide estimate of net costs with respect to the 2011/12-scheme with a levy of \$82.20 per tonne (Sydney metro), \$78.60 (extended regulated area), and \$31.10 (regional regulated area).

22. Sewerage treatment system license fee.

Cost in \$ of license fee, load based and administrative, to be paid to State Government in relation to sewer effluent discharge.

Councils are required to pay this fee as polluter under the Protection of the Environment Operations Act (NSW) 1997.

23. Waste management site license fee.

Cost in \$ of license fee (administrative fee, no load based fee) to be paid to State Government.

Councils are required to pay this fee council as polluter under the Protection of the Environment Operations Act (NSW) 1997.

24. Taking away of revenue from crown reserve land under council management

Cost in \$ associated with the NSW Government taking over allowable revenue raising activities on council managed crown reserve land or with requirements to transfer revenue from council managed crown reserve land to the NSW Government Please note that this does not represent the total net cost of managing (maintaining) crown lands. Please do not include in your calculations transfers associated with the caravan park levy.

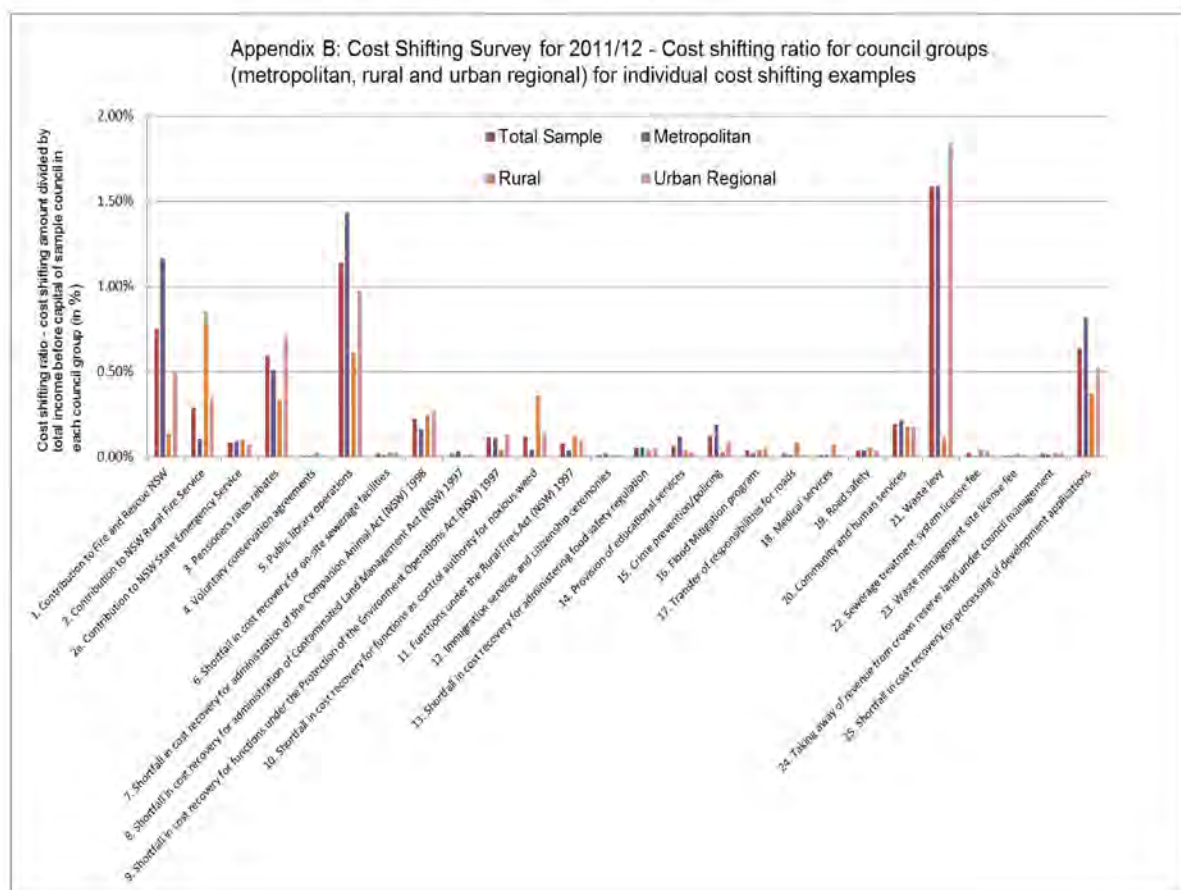
Under the Crown Land Act (NSW) 1989, councils have full responsibility to maintain crown reserves under council management and are expected to subsidise shortfalls in maintenance cost from general revenue. This is considered appropriate as the benefits from crown reserves under council management generally accrue to the local community. However, as a result, councils should also be entitled to any current or potential revenue from crown reserves that is required to cover maintenance and improvement cost (e.g. revenue from refreshment facilities, telecommunication facilities). Any action by the State Government to limit revenue raising capacity or require the transfer revenue to the State Government are considered cost shifting.

Please do not include in your calculation any surplus revenue over and above the total amount of maintenance and improvement cost for all of your crown reserve land.

25. Shortfall in cost recovery for processing of development applications

Cost in \$ of processing development applications under the Environmental Planning and Assessment Act (NSW) 1979 and associated regulations less any revenue related to this function (e.g. development application fees, state government payments/subsidies).

Please estimate the amount of costs of processing development applications that cannot be recovered through development application fees or any other related income. Please include costs associated with services by other agencies (e.g. initial fire safety reports from the NSW Fire Brigades, s144 of the Environmental Planning and Assessment Regulation (NSW) 2000).



3.6 Reset of Loan Borrowings from 2008-2009 Loan Borrowing Program

Reporting Officer

Manager Financial Services

Attachments

Nil

Purpose

To advise Council of the requirement to reset loan borrowings from the 2008-2009 Loan Borrowing Program.

Report

In adopting the 2008-2009 Budget, Council requested a loan allocation of \$2.5m from the Office of Local Government. At the Council meeting on 9 June 2009, taking into consideration the uncertainty of interest rates and the economic climate at the time, Council resolved that it would be more prudent to accept the fixed interest rate quote from the Commonwealth Bank of 7.43% as a five year renewal loan, with repayments equivalent to a 10 year loan, with the residual loan balance to be refinanced. This approach would allow market conditions to be reassessed at the end of the five year period to ensure Council was not committed to a 10 year loan at a high interest rate.

This loan is now due to be refinanced on 25 June 2014 and as such the Commonwealth Bank was asked to provide revised indicative interest rates in order to assess the next term of renewal on both a fixed and floating rate basis for the remaining balance of \$1.4m.

The indicative rates provided by the Commonwealth Bank are a fixed rate of 4.80% or a floating rate of 4.15%, with the floating rate being based on the bank bill swap rate as at 16 April 2014 of 2.71% plus an additional bank funding margin of 1.44%. A revised quote for a fixed interest rate was sought from the Commonwealth Bank of 9 May 2014 to which the bank provided an indicative rate of 4.65% inclusive of the funding margin which is unchanged from the initial quote.

In consultation with Council's Financial Advisor, Spectra Financial Services, taking into account the continuing uncertainty in economic conditions coupled with relatively low interest rates at present, it is recommended that Council endorse renewing the loan for the remaining term of five years on a fixed rate. Council's approach of a renewal/refinance facility when entering into this loan has provided a successful outcome for Council and will realise interest savings in the vicinity of \$110,000 over the remaining five year period.

Officer's Recommendation

That Council endorse the reset of the loan with the Commonwealth Bank for the remaining term of five years on a fixed interest rate and source a final quote on this basis prior to the expiration of the current loan term on 25 June 2014.

Committee's Recommendation: (Lake/Mead)

That the Officer's Recommendation be adopted.

CARRIED

Council Meeting 3 June 2014 (Dobson/Mead)

That the Officer's Recommendation be adopted.

Council Resolution Minute Number 90

That the Officer's Recommendation be adopted.

3.7 Local Government Remuneration Tribunal

Reporting Officer

Manager Financial Services

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 2014-2015.

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 on the fees payable to mayors and councillors to take effect from 1 July 2014. Sections 248 and 249 of the Act require councils to fix and pay an annual fees based on the Tribunal's determination.

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 2012 and will next consider this matter in 2015.

Due to the significant work being undertaken by both NSW Government and local councils to drive and deliver local government reform, the Local Government Remuneration Tribunal did not call for submissions from individual councils as part of the 2014 Annual Review. General submissions were not required however, the Tribunal did advise councils that they were still able to raise any issues of concern relevant to the review. The Tribunal met with representatives of Local Government NSW (LGNSW) in similar terms.

The Tribunal received two submissions from individual councils which sought consideration of the following:

- Determine the maximum statutory increase of 2.5%
 - Benchmark mayoral and councillor fees with State Members of Parliament
 - Introduce a professional remuneration structure for councillors to improve accountability and performance.
-

A submission was also received from LGNSW requesting that councillor and mayoral remuneration be increased by the full 2.5%.

LGNSW continues to advocate that elected representatives face increasing challenges, associated with managing council workload, family responsibilities and paid work, and that significant time involvement is not appropriately recompensed through the current remuneration levels.

The Tribunal found that the roles and responsibilities of councillors and mayors, as outlined in the legislation, have not significantly changed since the commencement of the *Local Government Act* in 1993. There have been adjustments in categories of councils and the level of fees, however these have not been significant.

The Tribunal is now required to have regard to the Government's wages policy when determining the increase 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%.

During the determination process, the Tribunal reviewed key economic indicators, including the Consumer Price Index and Wage Price Index, and found 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 Metropolitan Centre category councillors and mayors ranges from \$12,210 - \$22,800 per annum for councillors, and an additional \$25,950 - \$60,580 per annum for the position of mayor, effective 1 July 2014.

Officer's Recommendation

1. That Council adopt the councillor and mayoral remuneration increase of 2.5% effective 1 July 2014, as recommended by the Local Government Remuneration Tribunal.
2. That Council fix the remuneration fee for councillors at \$22,800 per annum representing an increase of 2.5% for the 2014-2015 financial year effective 1 July 2014.
3. That Council fix the remuneration fee for the mayor at an additional \$60,580 per annum representing an increase of 2.5% for the 2014-2015 financial year effective 1 July 2014.

Committee's Recommendation: (Lake/Kolkman)

That the Officer's Recommendation be adopted.

CARRIED

Council Meeting 3 June 2014 (Dobson/Mead)

That the Officer's Recommendation be adopted.

Council Resolution Minute Number 90

That the Officer's Recommendation be adopted.

Councillor Mead asked that his name be recorded in opposition to the resolution regarding Item 3.7 - Local Government Remuneration Tribunal.

3.8 Financial Assistance Grant Funding Changes

Reporting Officer

Manager Financial Services

Attachments

Nil

Purpose

To provide information to Council on Financial Assistance Grant Funding changes announced in the Federal Budget 2014.

Report

The Commonwealth provides financial assistance through State Grants Commissions, to assist Councils with the provision of Local Government services and infrastructure to their communities. Funding is made up of general purpose and roads components, both of which are untied, and can be spent according to each council's own priorities.

Financial assistance grants are adjusted annually based on an escalation factor determined by Treasury in accordance with population growth and the Consumer Price index (CPI).

Council has received significant funding from the financial assistance grant over a number of years and is heavily reliant on this funding. For the 2014-2015 budget, Council expects to receive \$8.750m in general purpose funding and \$1.619m in roads funding which equates to approximately 8% of operating revenues.

In the Federal Budget announced on 13 May 2014, the Treasurer revealed that indexation of financial assistance grants to Local Government will be frozen for three years, meaning no increases in line with population growth and CPI.

This loss of indexation increases, which amounts to a total loss of financial assistance funding for local government in the vicinity of \$925m, will affect the ability of local councils to maintain infrastructure such as roads, bridges, parks, swimming pools, libraries and community halls as well as provide services to meet community needs.

The Commonwealth has, however, remained committed to the existing Roads to Recovery (R2R) and Blackspot Programme funding with the announcement of an additional \$350m in R2R funding and \$200m in new Blackspot Programme funding.

Officer's Recommendation

That the information be noted.

Committee's Recommendation: (Borg/Kolkman)

That the Officer's Recommendation be adopted.

CARRIED

Council Meeting 3 June 2014 (Dobson/Mead)

That the Officer's Recommendation be adopted.

Council Resolution Minute Number 90

That the Officer's Recommendation be adopted.

4. HUMAN RESOURCES

4.1 Revised Child Protection Policy

Reporting Officer

Manager Human Resources

Attachments

Child Protection Policy (contained within this report)

Purpose

To seek Council's endorsement of the revised Policy.

History

In response to the recommendations of the 1997 Wood Royal Commission into the New South Wales Police Service, a range of legislation was introduced to protect children from abuse. In accordance with this legislation Council was required to develop and implement a Child Protection Policy, which was adopted by Council on 25 July 2000.

This Policy was subject to a briefing to Councillors on Tuesday 13 May 2014 where it was recommended by Councillors that the Policy be resubmitted to the next Corporate Governance Committee meeting for consideration.

Report

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

The impetus for this policy review was recent changes to Applicable Child Protection Legislation. These changes include:

- the introduction of new legislation the *Child Protection (Working with Children) Act 2012* and the *Child Protection (Working with Children) Regulation 2013*). This legislation provided for significant change to the Working with Children Check (WWCC) screening process for new and existing child-related workers
 - new definitions and changes to existing definitions under the applicable legislation.
-

In reviewing the policy to include these legislative changes all amendments were made in consultation with Sparke Helmore Lawyers. Their advice has been incorporated as follows:

- reference to the “Employment Screening” Policy was changed to “Working With Children – Worker Screening” Authorised Statement in the ‘Related Documentation’ section
 - links to the Office of Communities Commission for Children and Young People website and the Office of the Children’s Guardian website have been included under “Related Documentation”
 - any reference to ‘Occupational Health and Safety’ has been changed to Work Health and Safety to reflect the new *Work Health and Safety Act 2011*
 - any reference to ‘employees’ has been changed to ‘workers’ to reflect the new *Work Health and Safety Act 2011*
 - the “Objectives” have been further clarified to better meet the intent of the Applicable Legislation
 - changes to definitions have been made as follows:
 - new definitions include:
 - applicable child protection legislation
 - commission
 - disciplinary action
 - finding of misconduct involving children
 - ombudsman
 - serious physical assault
 - sexual misconduct
 - worker
 - WWCC status
 - WWCC verification system
 - young person
 - amended definitions include:
 - child (the definition of child varies under applicable legislation)
 - child or young person at risk of significant harm (previously “Child at Risk of Harm”)
 - child-related work (previously child-related employment)
 - mandatory reporter
 - reportable allegation
 - reportable conduct
 - working with children check
 - numerous other changes to the Applicable Legislation have been reflected in the “Principles”.
 - the policy has been amended so as not to use language and terminology that is absolute (for example, rather than committing Council to ‘ensure’ that something occurs, rephrasing the statement to say ‘take all reasonable steps to allow....’). The purpose of this is to avoid creating additional and unreasonable obligations for Council under the policy.
-

The above changes have been highlighted in the attached policy.

Officer's Recommendation

1. That the revised Child Protection Policy as attached to this report be adopted.
2. That the Policy review date be set at 30 June 2016.

Committee's Recommendation: (Lake/Mead)

That the Officer's Recommendation be adopted.

CARRIED


Council Meeting 3 June 2014 (Dobson/Mead)

That the Officer's Recommendation be adopted.

Council Resolution Minute Number 90

That the Officer's Recommendation be adopted.

ATTACHMENT 1

 campbelltown city council	POLICY
Policy Title	Child Protection
Related Documentation	Working with Children – Worker Screening Policy Office of Communities Commission for Children & Young People website (www.kids.nsw.gov.au) Office of the Children's Guardian website (www.kidsguardian.nsw.gov.au) Commission for Children and Young People publication – Information for Reporting Bodies: Reporting Certain Misconduct Involving Children, September 2013 (www.kids.nsw.gov.au/Working-with-children/New-Working-With-Children-Check/Resources)
Relevant Legislation/ Corporate Plan	Ombudsman Act 1974 (NSW) Commission for Children & Young People Act 1998 (NSW) Children & Young Persons (Care & Protection) Act 1998 (NSW) Child Protection (Offender's Registration) Act 2000 (NSW) Child Protection (Working with Children) Act 2012 (NSW) Child Protection (Working With Children) Regulation 2013 (NSW) Work Health and Safety Act 2011 (NSW) Code of Conduct
Responsible Officer	Manager Human Resources

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

Objectives

1. To build a workforce committed to child protection through a range of policies and work practices designed to ensure that services are provided to children in a safe and caring environment.
2. To support Council's commitment to protecting children and young persons from child abuse & risks to their health, safety and welfare in accordance with Applicable Child-Protection Legislation.
3. To facilitate Council's obligation to report to the Ombudsman or the Commission when children and young persons may be at risk of significant harm.
4. To encourage the fair investigation of allegations of inappropriate conduct by workers.
5. To assist in selecting and maintaining a workforce comprising of persons suitable for engagement in child-related work.

DATA AND DOCUMENT CONTROL		
Division: Business Services Section: Human Resources DW: 1747595	Adopted Date: 25/7/00 Revised Date: 2/9/08 Minute Number: 438 Review Date: 30/7/11	Page: 1 of 7 Print Date: 18/03/14

Policy Statement

Council is committed to being a child-safe organisation and to managing the risks associated with caring for children by implementing child-safe and child-friendly policies.

Scope

This policy applies to all **workers** performing work for Council.

Definitions

Allegation means a claim of reportable conduct or of potential misconduct that may involve reportable conduct. Allegations may be written or verbal and may be made anonymously. An allegation may relate to:

- A current worker or a person that was a worker at the time of the conduct forming the basis of the allegation.
- A child or young person at the time of the alleged behaviour. The alleged victim may be an adult now and the alleged behaviour may have occurred years before.

Applicable Child-Protection Legislation includes the following (as may be amended from time to time):

- a) *Commission for Children & Young People Act 1998* (NSW)
- b) *Children & Young Persons (Care & Protection) Act 1998* (NSW)
- c) *Ombudsman Act 1974* (NSW)
- d) *Child Protection (Offenders Registration) Act 2000* (NSW)
- e) *Child Protection (Working With Children) Act 2012* (NSW)
- f) *Child Protection (Working With Children) Regulation 2013* (NSW)

Child: under the *Ombudsman Act 1974* means a person who is under 18 years of age.

Child: under the *Children and Young Person (Care and Protection) Act 1998* mean a person under the age of 16 years.

Note: This act refers to 'Children and Young People' – see definition of Young Person below

Child or young person at risk of significant harm is defined in accordance with the Applicable Child-Protection Legislation (see the *Children and Young Persons (Care and Protection) Act 1998* (NSW)). Generally, it means a child or young person in relation to whom there are current concerns for their safety, welfare or well-being because of the presence, to a significant extent, of any one or more of the following circumstances:

- The child's or **young person's** basic physical or psychological needs are not being met or are at risk of not being met;
- The parents or other caregivers have not arranged or are unable or unwilling to arrange for the child or **young person** to receive necessary medical care;
- In the case of a child or **young person** who is required to attend school by law, the parents or other caregivers have not arranged and are unable or unwilling to arrange for the child or young person to receive an education.
- The child or **young person** has been, or is at risk of being, physically or sexually abused or ill-treated;
- The child or **young person** is living in a household where there has been incidents of domestic violence and, as a consequence, the child or young person is at risk of serious physical or psychological harm;
- A parent or other caregiver has behaved in such a way towards the child or **young person** that the child or **young person** has suffered or is at risk of suffering serious psychological harm.

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Child-Related Work means work (paid or unpaid) involving direct contact by a worker with children as defined in the Applicable Child-Protection Legislation (including but not limited to mentoring and counselling services; child protection services; health care, education and child care services; sporting, cultural or entertainment venues; transport services). See section 5 of the *Child Protection (Working With Children) Act 2012* (NSW).

Commission means the *Commission for Children and Young People*.

Conviction means a charge proven in court and recorded as such, including a finding that the charge for an offence is proven, or that the person is guilty of an offence, even though the court does not proceed to a conviction.

Disciplinary action means steps taken against a worker for improper or unauthorised conduct by Council, the Commission or by a professional body that supervises the professional conduct of the worker. In the event that a worker is found to have engaged in misconduct, they may be subjected to punishment in the form of a caution, a written warning, suspension or termination of their engagement by Council.

Finding Of Misconduct Involving Children is defined in accordance with the Applicable Child-Protection Legislation and includes a finding of misconduct (by Council or other authoritative body) following an investigation, regarding:

- sexual misconduct committed against, with or in the presence of a child, including grooming a child
- any serious physical assault of a child

(See *Child Protection (Working with Children) Act 2012* (NSW))

Investigation means any preliminary or full inquiry into, or examination of an alleged matter such as a Reportable Allegation, Reportable Conduct or Reportable Conviction.

Mandatory Reporter is defined in accordance with the Applicable Child-Protection Legislation and includes a worker engaged in paid child care work and a worker who holds a management position in an organisation the duties of which include direct responsibility for, or direct supervision of, the provision of health care, welfare, education, children's services, residential services, or law enforcement, wholly or partly, to children.

(See section 27 of the *Children and Young Persons (Care and Protection) Act 1998* (NSW))

Neglect means the harm inflicted on a child or young person due to the failure to provide them with basic physical and emotional necessities of life. For example, failure to provide or arrange for adequate and proper food, supervision, nursing, clothing, medical attention or lodging for a child or young person.

Notification means the requirement to notify or inform a third party such as the Ombudsman or Commission under the Applicable Child-Protection Legislation.

Ombudsman means the NSW Ombudsman.

Reportable Allegation is defined in accordance with the *Ombudsman Act 1974* (NSW) and means an allegation of **Reportable Conduct** against a **person** or an allegation of misconduct that may involve **Reportable Conduct**

Reportable Conduct is defined in accordance with the *Ombudsman Act 1974* (NSW) and includes:

- any sexual offence, or sexual misconduct, committed against, with or in the presence of a child (including a child pornography offence or an offence involving child abuse material
- any assault, ill-treatment or neglect of a child, or

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- any behaviour that caused psychological harm to a child, whether or not, in any case, with the consent of the child.

Reportable Conviction is defined in accordance with the *Ombudsman Act 1974* (NSW) and includes a conviction (including a finding of guilt without the court proceeding to a conviction), in this State or elsewhere, of an offence involving reportable conduct.

Serious physical assault means touching or physical acts which:

- results in a child being injured, beyond a type of injury like a minor scratch, bruise or graze; or
- had the potential to result in a serious injury; or
- the injury suffered may be minor, but the assault is associated with aggravating circumstances (such as inhumane or demeaning behaviour).

(See resource of the Commission entitled "Information for Reporting Bodies: Reporting Certain Misconduct Involving Children" September 2013)

Sexual misconduct means conduct that is sexual in nature and involving, or in connection with, a child. This may include:

- indecent assault
- sexual assault
- aggravated sexual assault
- sexual intercourse and attempted sexual intercourse
- possession/dissemination/production of child pornography or child abuse material
- using children to produce pornography
- grooming or procuring children for unlawful sexual activity
- deemed non-consensual sexual activity on the basis of special care relationships
- crossing professional boundaries
- sexually explicit comments and other overtly sexual behaviour.

(See resource of the Commission entitled "Information for Reporting Bodies: Reporting Certain Misconduct Involving Children" September 2013)

Worker means any person who is engaged in work in any of the following capacities:

- a) as an employee (paid or unpaid)
- b) as a contractor or sub-contractor
- c) as a volunteer, or
- d) as a person undertaking practical training as part of an educational or vocational course (other than as a school student undertaking work experience).

WWCC means a Working With Children Check conducted in accordance with applicable child protection legislation.

WWCC status means the classification of an individual and/or WWCC application which are detailed in the WWCC Verification System. The status may be classified as one of the following:

- a) **Application in progress** which means the individual has completed the application process but that a determination has not yet been made declaring them as cleared.
- b) **Cleared** means the individual has been given a clearance and is cleared to work with children until their WWCC expires.
- c) **Barred** means the individual has been barred and cannot work with children. It is an offence to engage a barred person in child-related work.
- d) **Interim Bar** means the individual has been barred and cannot work with children pending the outcome of a risk assessment conducted by the Commission. It is an offence to engage a barred individual in child-related work.

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- e) **Not found** means the individual has not been located in the WWCC Verification System (for example, due to incorrect information, an application being withdrawn or terminated without outcome or the application process not being completed).

WWCC Verification System means the system operated and administered by the Commission to verify an individual's WWCC status.

Young Person is defined in accordance with the *Children and Young Persons (Care and Protection) Act 1998* (NSW); and means a person who is aged 16 years or above but who is under the age of 18 years.

Legislative Context

Commission for Children & Young People Act 1998 (NSW)
Children & Young Persons (Care & Protection) Act 1998 (NSW)
Ombudsman Act 1974 (NSW)
Child Protection (Offenders Registration) Act 2000 (NSW)
Child Protection (Working With Children) Act 2012 (NSW)
Child Protection (Working With Children) Regulation 2013 (NSW)

Principles

Roles and Responsibilities

1. The General Manager (or their authorised delegate) shall notify the Ombudsman of the following:
 - any Reportable Allegation, or Reportable Conviction, against a worker of which the General Manager becomes aware
 - whether or not Council proposes to take any disciplinary action or other action in relation to the worker and the reasons for this decision
 - any written submissions made concerning any such an allegation or conviction that the worker concerned wished to have considered in determining what (if any) disciplinary or other action should be taken.
2. In accordance with the *Ombudsman Act 1974* (NSW), the notification shall be made as soon as practicable after the General Manager becomes aware of the allegation or conviction (ideally within 30 days or within such other period as may be agreed to by the Ombudsman).
3. The General Manager (or their authorised delegate) shall notify the Commission of any worker against whom an investigation has been completed and a Finding Of Misconduct Involving Children has been made.
4. Any notifications to be made by the General Manager (or their authorised delegate) to the Commission and Ombudsman shall be in the form and method approved by these bodies (for example, online via the respective websites or by telephone).
5. It is the responsibility of Directors, Managers and Supervisors to report any allegations of Reportable Conduct to the General Manager (or their authorised delegate) and to assist in carrying out any subsequent investigation.
6. It is the responsibility of all workers to notify their supervisor immediately if they witness, or have a reasonable basis to suspect or become aware of, a Reportable Allegation, Reportable Conduct or a Reportable Conviction by another worker
7. All workers shall notify their supervisor if they witness, or have a reasonable basis to suspect that, a child is at a significant risk of harm (either at the child's home or at the workplace).

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8. In the event that a worker, who is a Mandatory Reporter, becomes aware or has a reasonable basis to suspect a child is at a significant risk of harm (either at the child's home or at the workplace), they should discuss this matter as soon as possible with their Director, Manager and/or Supervisor to determine whether the matter needs to be reported to the Police, the Commission, the Ombudsman and/or another entity.
9. It is the responsibility of Human Resources to provide advice and support to all workers in relation to their obligations under this policy. They shall also assist in implementing and educating workers on this policy. .
10. Other parties may be involved during these processes including the Union, the Employee Assistance Program Counsellors and Contact Officers, and their role is to advise and support workers.

Rights of all Parties

1. Any child that is the subject of alleged Reportable Conduct has the right to be in a secure and safe environment. Any worker under investigation may be removed from that environment or placed on alternate duties until the investigation is complete.
2. Council shall endeavour to afford procedural fairness in any investigation conducted into any Reportable Allegation, Reportable Conduct or Reportable Conviction.
3. Council shall also endeavour to maintain confidentiality over information obtained in the course of any investigation under this policy.
4. Council may deny a person access to, or limit their access to, records kept if they consider it would jeopardise an investigation or place a child at risk.

Confidentiality

1. All workers involved in the reporting or investigating of allegations of Reportable Conduct shall be mindful of the sensitive nature of the issue and take all reasonable steps to maintain confidentiality and respect the privacy of those involved. Nothing in this statement is to be taken as mitigating against the obligation of workers to report incidents or allegations of Reportable Conduct.
2. All information relating to investigations will be secured in Human Resources separately from personnel files, unless the investigation results in disciplinary action. If this is the case, the following details will be kept on the worker's personnel file under a confidential code in ECM:
 - That an allegation was made;
 - That an investigation was conducted;
 - What the finding was;
 - What action was taken
3. Any person who makes an allegation of reportable conduct may be protected under Council's Public Interest Disclosures Policy.

Unsubstantiated Allegations

1. Where an allegation is clearly wrong or unsubstantiated, the person who is the subject of the allegation shall be supported by Council. The nature of the support shall be reasonable and appropriate to the circumstances of the case. It may include access to specialist counselling services, legal services or special leave.
2. Any worker who is found to have made a malicious, vexatious or baseless allegation may be subject to disciplinary action.

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Prevention and Education

1. All current and prospective workers in child-related work shall be screened in accordance with Council's Working with Children – Worker Screening Policy to ensure their suitability to work with children.
2. All workers shall be educated on the applicable child-protection legislation and how it impacts on them in terms of the position they hold and their responsibilities.
3. Workers shall be educated to a level appropriate to the position they hold. Specifically, the level of education relates to the following categories of workers:
 - Child care staff, who have a 24 hour/day responsibility;
 - Other identified positions, which have a workplace only responsibility;
 - Contractors, volunteers and work experience participants;
 - "Investigators" – Directors, Managers and Supervisors;
 - Mandatory Reporters.
4. Council's induction program shall include information on the Applicable Child - Protection Legislation.

END OF POLICY STATEMENT

DOCUMENT HISTORY AND VERSION CONTROL RECORD

Contact for inquiries and proposed changes

Name	Barry Clarence
Position/Section	Manager Human Resources
Contact Number	46454228

Version Number	Revised Date	Authorised Officer	Amendment Details

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5. INFORMATION MANAGEMENT AND TECHNOLOGY

No reports this round

6. GENERAL BUSINESS

6.1 Reversing Sensors for Council Vehicles

Councillor Lake referred to a number of campaigns that have been promoted by Council with regard to safety of children when reversing vehicles and suggested that Council investigate the feasibility of the installation on four reverse sensors being included on all new Council vehicles.

Committee's Recommendation: (Lake/Borg)

That a report be presented investigating the feasibility, safety benefits and costs associated with the installation of four reverse sensors being included on all new Council vehicles.

CARRIED

Council Meeting 3 June 2014 (Dobson/Mead)

That the Committee's Recommendation be adopted.

Council Resolution Minute Number 90

That the Committee's Recommendation be adopted.

Confidentiality Motion: (Borg/Kolkman)

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 Broughton Street - 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.

21.2 Confidential Information relating to an item in Corporate Governance

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 5.59pm.

S Dobson
CHAIRPERSON
