



Camden Council

Business Paper

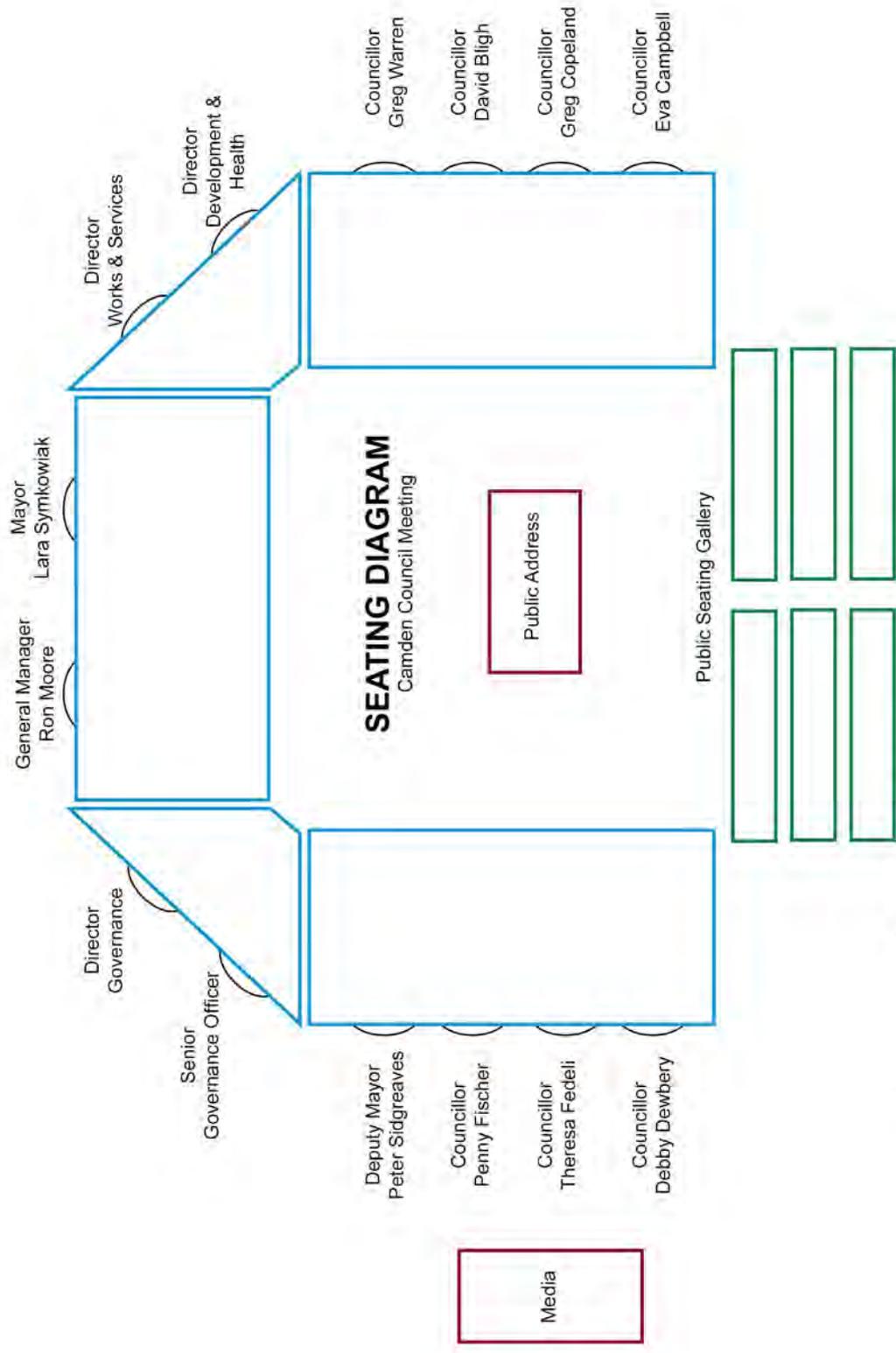
Ordinary Council Meeting
27 August 2013

Camden Civic Centre
Oxley Street
Camden



COMMON ABBREVIATIONS

AEP	Annual Exceedence Probability
AHD	Australian Height Datum
BCA	Building Code of Australia
CLEP	Camden Local Environmental Plan
CP	Contributions Plan
DA	Development Application
DECCW	Department of Environment, Climate Change & Water
DCP	Development Control Plan
DDCP	Draft Development Control Plan
DPI	Department of Planning & Infrastructure
DLG	Division of Local Government, Department of Premier & Cabinet
DWE	Department of Water and Energy
DoH	Department of Housing
DoT	NSW Department of Transport
EIS	Environmental Impact Statement
EP&A Act	Environmental Planning & Assessment Act
EPA	Environmental Protection Authority
EPI	Environmental Planning Instrument
FPL	Flood Planning Level
GCC	Growth Centres Commission
LAP	Local Approvals Policy
LEP	Local Environmental Plan
LGA	Local Government Area
MACROC	Macarthur Regional Organisation of Councils
OSD	Onsite Detention
REP	Regional Environmental Plan
PoM	Plan of Management
RL	Reduced Levels
RMS	Roads & Maritime Services (incorporating previous Roads & Traffic Authority)
SECTION 149 CERTIFICATE	Certificate as to zoning and planning restrictions on properties
SECTION 603 CERTIFICATE	Certificate as to Rates and Charges outstanding on a property
SECTION 73 CERTIFICATE	Certificate from Sydney Water regarding Subdivision
SEPP	State Environmental Planning Policy
SRA	State Rail Authority
SREP	Sydney Regional Environmental Plan
STP	Sewerage Treatment Plant
VMP	Vegetation Management Plan
WSROC	Western Sydney Regional Organisation of Councils



*Please do not talk during Council Meeting proceedings.
Recording of the Council Meeting is not permitted by members of the public at any time.*



ORDINARY COUNCIL

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ORDINARY COUNCIL

SUBJECT: PRAYER

PRAYER

Almighty God, bless all who are engaged in the work of Local Government. Make us of one heart and mind, in thy service, and in the true welfare of the people we serve: We ask this through Christ our Lord.

Amen

Almighty God, give thy blessing to all our undertakings. Enlighten us to know what is right, and help us to do what is good: We ask this through Christ our Lord.

Amen

Almighty God, we pause to seek your help. Guide and direct our thinking. May your will be done in us, and through us, in the Local Government area we seek to serve: We ask this through Christ our Lord.

Amen

AFFIRMATION

We affirm our hope and dedication to the good Government of Camden and the well being of all Camden's residents, no matter their race, gender or creed.

We affirm our hope for the sound decision making by Council which can improve the quality of life in Camden.

Either – "So help me God" or "I so affirm" (at the option of councillors)

We pledge ourselves, as elected members of Camden Council, to work for the provision of the best possible services and facilities for the enjoyment and welfare of the people of Camden.

Either – "So help me God" or "I so affirm" (at the option of councillors)



ORDINARY COUNCIL

SUBJECT: ACKNOWLEDGMENT OF COUNTRY

I would like to acknowledge the traditional custodians of this land on which we meet and pay our respect to elders both past and present.



ORDINARY COUNCIL

SUBJECT: RECORDING OF COUNCIL MEETINGS

In accordance with Camden Council's Code of Meeting Practice and as permitted under the Local Government Act this meeting is being audio recorded by Council staff for minute taking purposes.

ORDINARY COUNCIL

SUBJECT: APOLOGIES

Leave of absence tendered on behalf of Councillors from this meeting.

RECOMMENDED

That leave of absence be granted.

ORDINARY COUNCIL

SUBJECT: DECLARATION OF INTEREST

NSW legislation provides strict guidelines for the disclosure of pecuniary and non-pecuniary Conflicts of Interest and Political Donations.

Council's Code of Conduct also deals with pecuniary and non-pecuniary conflict of interest and Political Donations and how to manage these issues (Clauses 7.5 -7.27).

Councillors should be familiar with the disclosure provisions contained in the Local Government Act 1993, Environmental Planning and Assessment Act, 1979 and the Council's Code of Conduct.

This report provides an opportunity for Councillors to disclose any interest that they may have or Political Donation they may have received relating to a Report contained in the Council Business Paper and to declare the nature of that interest.

RECOMMENDED

That the declarations be noted.

ORDINARY COUNCIL

SUBJECT: PUBLIC ADDRESSES

The Public Address segment (incorporating Public Question Time) in the Council Meeting provides an opportunity for people to speak publicly on any item on Council's Business Paper agenda or on any matter within the Local Government area which falls within Council jurisdiction.

Speakers must book in with the Council office by 4.00pm on the day of the meeting and must advise the topic being raised. Only seven (7) speakers can be heard at any meeting. A limitation of one (1) speaker for and one (1) speaker against on each item is in place. Additional speakers, either for or against, will be identified as 'tentative speakers' and should only be considered where the total number of speakers does not exceed seven (7) at any given meeting.

Where a member of the public raises a question during the Public Address segment, a response will be provided where Councillors or staff have the necessary information at hand; if not a reply will be provided at a later time. There is a limit of one (1) question per speaker per meeting.

All speakers are limited to 4 minutes, with a 1 minute warning given to speakers prior to the 4 minute time period elapsing.

Public Addresses are recorded for administrative purposes. It should be noted that speakers at Council meetings do not enjoy any protection from parliamentary-style privilege. Therefore they are subject to the risk of defamation action if they make comments about individuals. In the event that a speaker makes potentially offensive or defamatory remarks about any person, the Mayor/Chairperson will ask them to refrain from such comments.

The Mayor/Chairperson has the discretion to withdraw the privilege to speak where a speaker continues to make inappropriate or offensive comments about another person.

RECOMMENDED

That the public addresses be noted.

ORDINARY COUNCIL

SUBJECT: CONFIRMATION OF MINUTES

Confirm and adopt Minutes of the Ordinary Council Meeting held 13 August 2013.

RECOMMENDED

That the Minutes of the Ordinary Council Meeting held 13 August 2013, copies of which have been circulated, be confirmed and adopted.



ORDINARY COUNCIL

ORD01

ORD01

SUBJECT: PROPOSED ROAD NAMING - NEW PUBLIC ROADS IN CAMDEN SOUTH
FROM: Director, Development & Health
BINDER: 13/13419

PURPOSE OF REPORT

The purpose of this report is to advise Council of the results of the public exhibition of proposed road names for a new development in Camden South. Council's endorsement of the proposed road names for this development is also sought.

BACKGROUND

At the Ordinary Council meeting of 14 August 2012 Council resolved to approve Development Applications (DA) 443/2012 and 444/2012 for the residential subdivision of 46 Crookston Drive, Camden South. These DAs proposed the creation of 49 new residential lots and the dedication of three new public roads.

The names Birch, Jacaranda and Jasmine were considered by Council at the Ordinary Council meeting of 23 April 2013. At this meeting Council resolved to:

- i. *Reject the names before Council; and*
- ii. *Councillors make suggestions to Council officers over the next week of proposed road names, and that they be proposed to the family and reported back to Council.*

This matter was discussed at a Councillor Workshop held on 14 May 2013.

At the Ordinary Council meeting of 25 June 2013 Council resolved to endorse the proposed names "Saunders," "Funnell" and "Rum Corps" for a 30 day exhibition period, and that a further report be provided detailing the results of the exhibition period.

A number of other names were considered, however with only 3 roads to be named it was proposed that the following names be added to a preferred list of names to be used in the future, subject to the families' approval. Below is a list of those names:

Road Names to be Added to a Preferred List

Road Names	Background
Winn	Shirley Winn was a Councillor at Camden Council for two terms from 1995/99 and 1999/2004 and was a Deputy Mayor for the 2001/2002 term. Shirley was active in numerous community groups, including the Camden Chamber of Commerce, Camden Quota, Main Street Committee and was a member of the Tree Planting and Tidy Towns Committee for many years.
Brooking	Frank Brooking was a Councillor at Camden Council for two terms from 1991/1995 and

	<p>1995/1999. Frank was elected as Council's twenty-seventh Mayor on 27 September 1993, remaining as such until 1997.</p> <p>During his eight year term, Mr Brooking served on no less than twenty four Council committees, including the Australia Day Committee, the Camden Bush Fire Management Committee and the Camden Seniors Committee.</p> <p>In addition, Frank was instrumental in establishing the Camden International Friendship Association (CIFA). Frank passed away in March 2013.</p>
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AERIAL PHOTO



MAIN REPORT

The road names that were placed on exhibition were:

Road Names	Background
Saunders	<p>Charles Saunders (1934-2002) was a head teacher of mathematics at Elderslie High School from 1978-1989 and a resident of Crookston Drive.</p> <p>In 1994 Charles became manager of the</p>

	Camden Rugby Big Band, teaching adults and children to play instruments and undertake performances. Charles was also responsible for organising Camden Band festivals and the musical entertainment for Light Up Camden and other public events. In 2002 Charles was named citizen of the Year.
Funnell	<p>The Funnell family have had a long history with the Macarthur area and Camden with Tom Funnell working as a Blacksmith and Dairyman on Camden Park until he saved enough money to buy Moles Mane at Catherine Fields, which he then built into a successful dairy farm.</p> <p>Tom's sons and daughters were well known in the sporting field with Tom's son Ernie owning and running the Camden newsagency in the 1960s. Another son Vic owned and worked a dairy farm and one of Tom's daughters Mrs Amos Dowel owned Paris Café.</p> <p>Tom's grandson David Funnell runs his own Electrical company in Camden and has served a number of terms as Councillor on Camden Council. Grandson Paul Funnell OAM has also been successful in the development of hydraulic technology software.</p>
Rum Corps	The NSW Corps (aka The Rum Corps) were a military regiment sent to the early Sydney colony from England in 1790. The Corps are famous for the 1808 rum rebellion where, working with John Macarthur, they overthrew then Governor Bligh and established military rule in the colony.

The Geographical Names Board (GNB) has advised Council of the process to be followed by the roads authority in respect to the naming of new roads in accordance with the *Roads Act 1993*. In this instance, Council is the roads authority. The names have been considered in accordance with this process.

Council may resolve to adopt all or some of the above road names. Should alternative road names be proposed, those alternative names will have to be publicly exhibited for 30 days. A subsequent report on the results of this exhibition would then be the subject of a further report to Council following the exhibition.

NOTIFICATION

The proposed road names were notified for a 30 day period from 10 July 2013 to 8 August 2013. During the notification period 17 submissions were received. **A copy of the submissions is provided with the Business Paper supporting documents.**

The following discussion addresses the issues and concerns raised in the submissions.

1. *The proposed name "Rum Corps" is not supported and should be replaced with a name more appropriate for Camden South.*

Officer comment:

The proposed names were put forward by Councillors as suggested names for the proposed roads. The names have links to both local and Australian history.

2. *The proposed names "Saunders" and Funnell" are supported.*

Officer comment:

The support for these two proposed road names is noted.

3. *The proposed road names provided by the developer are supported; why did Council change the road names at such a late stage as the street signs are already in place.*

Officer comment:

At the Ordinary Council meeting of 23 April 2013 Councillors resolved to reject the list of road names proposed by the developer. At the Ordinary Council meeting of 25 June 2013 Council resolved to endorse the names "Saunders," "Funnell" and Rum Corps" for public exhibition. The developer did not have Council approval to erect the street signs.

4. *Alternative road names put forward by the submissions are: Winn, Brooking, Monash, Therese Testoni, Bruce Ferguson, Graham Bush, Rideout, Dengate, Channell, Doust, Tickner, Mt Hercules, Davies and Duncombe.*

Officer comment:

Council is currently preparing a preferred road naming list and these suggested names could be considered for inclusion in a draft preferred road naming list subject to the families approval and satisfying Council's draft road naming policy.

FINANCIAL IMPLICATIONS

This matter has no direct financial implications for Council.

CONCLUSION

The proposed road names have been assessed by Council staff in accordance with the GNB criteria and the names satisfy the GNB's guidelines for the naming of roads. The names have been publicly exhibited for 30 days.

This matter is now reported to Council with a recommendation to approve the proposed road names for use in the development off Crookston Drive in Camden South.

RECOMMENDED

That Council:

- i. endorse the proposed road names “Saunders,” “Funnell” and “Rum Corps” for the approved subdivision at 46 Crookston Drive, Camden South;**
- ii. publish the approved names in the NSW Government Gazette and in the local paper;**
- iii. inform Australia Post, the Registrar General, Surveyor General and the RMS of these approved names; and**
- iv. note that Winn, Frank Brooking, Monash, Therese Testoni, Bruce Ferguson, Graham Bush, Rideout, Dengate, Channell, Doust, Tickner, Mt Hercules, Davies and Duncombe will be considered for inclusion in a draft preferred road naming list subject to the families approval and satisfying Council’s draft road naming policy.**

ATTACHMENTS

- 1. Submissions - *Supporting Document***

ORDINARY COUNCIL

ORD02

SUBJECT: APPOINTMENT OF JOINT REGIONAL PLANNING PANEL MEMBERS FOR SOUTH WEST JRPP

FROM: Director Governance

TRIM #: 13/2544

PURPOSE OF REPORT

The purpose of this report is for Council to determine the appointment of panel members to represent Camden Council on the Sydney West Region Joint Regional Planning Panel (JRPP). In order to align with the electoral cycle, it is proposed to appoint panel members for a period of 3 years.

BACKGROUND

The Sydney West Region JRPP is the relevant body for determining regionally significant Development Applications received by Camden Council. At its 25 September 2012 meeting Council resolved to appoint the following as Camden's representatives to the Sydney West Region JRPP for a period of 12 months.

Primary Members

Peter Sidgreaves – Councillor

Chris Lalor – Team Leader Landuse Planning

Alternate Members

Lara Symkowiak – Councillor

Kylie Powell – Manager Strategic Planning

Following changes in the legislation governing JRPP's and the expiration of the 12 month appointment period, Council is now seeking new representatives to the panel.

MAIN REPORT

In November of 2012 the NSW Government made a legislative amendment to s.56 of the *Environmental Planning and Assessment Act 1979 (EPA&Act)* to facilitate the review of Gateway Determinations of Planning Proposals to be included for consideration by the JRPP. This function is in addition to the consideration of regionally significant development applications.

As a consequence it is considered that where Council staff are involved in strategic or statutory planning processes there could be a perceived or potential conflict of interest in their participation in JRPP hearings effectively ruling them out of representing Council.

It is therefore recommended that both the positions held on the JRPP be filled by councillors not staff to alleviate any potential conflict of interest. This is also reflective of the approach of Blacktown, Liverpool and Campbelltown Councils on the Sydney West JRPP, and in line with the Procedures for the Operation of JRPPs. **Attachment 1 Procedures for the Operation of JRPP's in Supporting Documents.**

As detailed above Council currently have two (2) primary members and two (2) alternates. It is preferable that Council retain two (alternates) to ensure capacity to service the panel, alternatively a minimum of one (1) alternate should be appointed.

Requirements of the position

In the last 12month period Camden Council members have been involved in the consideration of six (6) development applications, requiring attendance at six (6) JRPP meetings.

The process for the consideration of a development application through the JRPP generally includes the following:

- Receive documentation on DA – Required to read through all material
- Briefing on upcoming meeting – at Parramatta office 30 minutes – 1hr, plus travel time
- Site inspection by JRPP – Undertaken prior to panel determination meeting
- Determination Meeting – Camden Council 2-3 hours (inclusive of site visit)

As required by the *EP&A Act (Schedule 4 Part 2)* at least one of Councils' nominees should have expertise in planning, architecture, heritage, the environment, urban design, land economics, traffic and transport, law, engineering or tourism.

Appointment to the panel can be for a period of up to three (3) years. In order to align with the Council election cycle it is recommended that representatives be appointed for the full 3 year period. Should the need arise; Council can nominate to change membership to the panel at any time following a Council resolution and notification of the resolution to the JRPP secretariat.

Use of an Expert Panel

Should Councillors be unable fulfil the requirements of the position of Camden's representative on the JRPP it may be necessary to assemble an independent panel of experts to act on Councils behalf, as alternate members.

A previous panel was assembled for a period of 12 months following an Expression of Interest (EOI) in November of 2011, to act as Councils alternate representatives where a primary member was unavailable. Applicants to the EOI were required to demonstrate a high level of expertise in disciplines such as planning, heritage, architecture, the environment, urban design etc. The panel of three were not required to act on Councils behalf during the 12 month term.

It is noted that engagement of an expert consultant to undertake this role for Council would have financial implications. On average it is estimated that a Development Application through the JRPP would require 12-14 hours work (including travelling time) at an average Principal Planner rate of \$220-250 per/hr this would cost Council approximately \$3,080 - \$3,500 per application, for a single representative.

FINANCIAL IMPLICATIONS

Should the recommendation as proposed be carried, there are no direct financial implications to Council as a result of this report.

CONCLUSION

The term of Council's current representatives on the JRPP ends in September of 2013. It is therefore necessary to elect two (2) primary and two (2) alternate representatives to the panel. Due to the legislative changes affecting the operation of the JRPP it is no longer considered appropriate for Council staff to represent Council on the JRPP.

RECOMMENDED

That Council:

- i. elect two (2) primary and two (2) alternate representatives to the South West JRPP; and**
- ii. notify the JRPP secretariat of the appointed members and their alternates.**

ATTACHMENTS

1. Attachment JRPP Operating Procedures September 2012 optimised - *Supporting Document*



ORDINARY COUNCIL

ORD03

ORD03

SUBJECT: CAMDEN DCP REVIEW
FROM: Director Governance
TRIM #: 13/12974

PURPOSE OF REPORT

The purpose of this report is to outline the outcome of the community consultation in relation to proposed amendments to the Camden Development Control Plan 2011 (DCP 2011) and to seek a resolution to adopt the proposed changes.

BACKGROUND

On 25 June 2013, Council considered a report which identified a number of proposed minor changes to DCP 2011 including:

- Parking spaces for dwellings
- Farm buildings and residential outbuildings; and
- Manooka Valley – Setback controls on land zoned E4 Environmental Living.

At this meeting, Council resolved to support the proposed changes to DCP 2011 and to publically exhibit the Draft amendment for a period of 28 days in accordance with the provisions of the *Environmental Planning and Assessment Regulations 2000*.

Council did not receive any submissions during the exhibition period.

MAIN REPORT

This review is primarily of a “housekeeping” nature. The following is a summary of the changes to the DCP as a result of the review. A schedule outlining, in more detail, the proposed changes together with the justification is provided in **Attachment 1 of this report**.

Parking Spaces for Dwellings

The current DCP controls specify that a dwelling house must provide for at least 1 car parking space for dwellings with 1 or 2 bedrooms and at least 2 car parking spaces for dwellings with more than 2 bedrooms.

It is proposed to add an additional control to require at least one car parking space behind the building line. This will align with the State Environmental Planning Policy (SEPP) (Exempt and Complying Development Codes) 2008 and also ensure that better opportunities for the provision of off street parking is provided.

Farm Buildings

Council currently requires farm buildings to have a roof pitch of between 15 to 25 degrees. It is proposed to maintain the roof pitch requirement but remove the requirement for 15 to 25 degrees. It is considered that this requirement is too restrictive.

Residential Outbuildings

It is proposed to amend the maximum floor area and setback controls relating to residential outbuildings to align better with the SEPP (Exempt and Complying Development Codes) 2008. It is also proposed to amend the height controls for outbuildings as described in **Attachment 1 of this report**. This variation will enable one storey structures with an attic above to have a maximum height of 5.4 metres and a maximum roof pitch of 45 degrees. The current maximum height is 4.8 metres.

Manooka Valley – Setback controls on land zoned E4 Environmental Living

It is proposed to vary the current setback controls for E4 Environmental Living zoned land in Manooka Valley (Refer to figure 1 below) to align with the other E4 zones at Kirkham Rise and Harrington Grove.

Figure 1 – E4 land at Manooka Valley



The table below outlines the proposed changes to the building setback controls for Manooka Valley.

Table 1 – Proposed setback controls – Manooka Valley

	Current Control	Proposed Control
Front boundary setback	7.5m	5.5m
Setback to secondary road	7.5m	4.5m
Side boundary setback	5m	1.5m

Public Exhibition

In accordance with Council's resolution and in accordance with the provisions of the *Environmental Planning and Assessment Regulations 2000*, the matter was publicly exhibited for a period of 28 days commencing on 3 July 2013.

The matter was advertised in the local newspaper, on Council's website and information was available to view at the following locations:

- Camden Office Customer Service Centre - 37 John Street, Camden
- Narellan Office Customer Service Centre - 19 Queen Street, Narellan
- Camden Library - 40 John Street, Camden
- Narellan Library - Cnr Queen and Elyard Street, Narellan

Council did not receive any submissions during the exhibition period.

FINANCIAL IMPLICATIONS

There are no financial implications for Council arising from the recommendations of this report.

CONCLUSION

The proposed changes to the Camden DCP 2011 outlined above, while minor in nature, will align the DCP with the provisions of the SEPP (Exempt and Complying Development Codes) 2008 with regard to the floor area and setback provision for residential outbuildings. They will also ensure a consistent approach with the setback provisions of the E4 zoned land at Manooka Valley.

RECOMMENDED

That Council adopts the amendments to the Camden Development Control Plan 2011 outlined in this report in accordance with Clause 21 of the *Environmental Planning and Assessment Regulations 2000* to come into effect upon date of public notice in a local paper.

ATTACHMENTS

1. Attachment 1 - DCP Schedule

Attachment 1

ORD03

Attachment 1 – Schedule of Proposed Changes to Camden Development Control Plan 2011

DCP Part	Section of DCP	Current Control/s	Proposed Control/s	Justification
Part B	Table B8 – Schedule of Car, Bicycle, and Motorcycle Parking Requirements	1 car parking space for dwellings with 1 to 2 bedrooms. 2 car parking spaces for dwellings with more than 2 bedrooms.	1 car parking space for dwellings with 1 to 2 bedrooms. 2 car parking spaces for dwellings with more than 2 bedrooms. In both instances, at least one car parking space behind the building line.	The amendment will help provide clarity about the provision of car parking spaces for dwellings. This will also assist in the provision of off street parking. The control aligns with <i>State Environmental Planning Policy (Exempt and Complying Development Codes) 2008</i> .
Part D	D1.2 – Farm Buildings	Council currently requires farm buildings to have a roof pitch of between 15 to 25 degrees.	It is proposed to maintain the roof pitch requirement but to remove the requirement for 15 – 25 degrees.	The current control is considered onerous.
	D2.1.3 – Primary Residential Controls – Height, Massing and siting	D2.1.3 (Control 4) The maximum height of outbuildings in residential zones is 4.8m	Delete the control	The control is no longer required as it is contained within <i>State Environmental Planning Policy (Exempt and Complying Development Codes) 2008</i> .
	D2.1.11 – Outbuildings in Residential zones	Control 4 - The maximum combined floor area for any one or more outbuildings on a lot must not be greater than the following: a) 40m ² for lots less than 4000m ² in the R5 zone; b) 80m ² for lots less than 4000m ² in the R5 zone; or c) 100m ² for lots greater than or equal to 4000m ² in the R5 zone.	The floor area of an outbuilding on a lot must not be more than the following: (a) 36m ² , if the lot has an area of less than 300m ² , (b) 45m ² , if the lot has an area of at least 300m ² but less than 600m ² , (c) 60m ² , if the lot has an area of at least 600m ² but less than 900m ² , (d) 100m ² , if the lot has an area of at least 900m ² .	The control aligns with <i>State Environmental Planning Policy (Exempt and Complying Development Codes) 2008</i> .

DCP Part	Section of DCP	Current Control/s	Proposed Control/s	Justification
		<p>Control 5 - The maximum external wall height (except in the case of a gable roof form) from natural ground less level for any one or more outbuilding on a lot must not be greater than the following:</p> <p>(a) 2.7m for lots in the R1, R2, R3 and R4 zone; or</p> <p>(b) 3m for lots in the R5 zone.</p>	<p>Delete</p>	<p>This wall height control is no longer required as the height is now measured to the ridge line.</p>
		<p>Control 6 -</p> <p>The maximum ridge height from natural ground level for any one or more outbuilding on a lot must not be greater than the following:</p> <p>(a) 4m for lots in the R1, R2, R3 and R4 zone; or</p> <p>(b) 4.8m height for lots in the R5 zone.</p>	<p>Delete control and replace with the following:</p> <p>(1) The maximum height of an outbuilding or alterations and additions to an existing outbuilding must not be more than 4.8m above ground level (existing)</p> <p>(2) Despite sub clause (1) above a one-storey structure with an attic above is permissible provided the height does not exceed 5.4m and amenity to adjacent sites is maintained and the roof pitch, of the outbuilding, must not exceed 45 degrees.</p>	<p>The control aligns with <i>State Environmental Planning Policy (Exempt and Complying Development Codes) 2008</i>. An additional provision is made to enable one storey structures to a height of 5.4m which will provide an opportunity for attic storage.</p>
		<p>Control 11 – The minimum side or rear boundary setbacks for any one or more outbuildings on a lot must be at least:</p>	<p>Delete the control and replace with the setback provisions outlined in Clause 3.16 of State Environmental Planning Policy (Exempt and Complying Development)</p>	<p>The control aligns with <i>State Environmental Planning Policy (Exempt and Complying Development Codes) 2008</i>.</p>

Attachment 1

ORD03

DCP Part	Section of DCP	Current Control/s	Proposed Control/s	Justification
		<p>(a) 0.5m for lots in the R1, R2, R3 and R4 zone; or</p> <p>(b) 0.6m for outbuildings less than or equal to 36m² on lots less than 4000m² in the R5 zone; or</p> <p>(c) 3m for outbuildings greater than 36m² or outbuildings on a lot greater than or equal to 4000m² in the R5 zone.</p>	<p>Codes) 2008. The setback for outbuildings will be dependant upon type of construction and building height.</p>	
	D2.3.3 – Manooka Valley	<p>Front boundary setback – 7.5m</p> <p>Setback to Secondary Road – 7.5m</p> <p>Side boundary setback – 5m</p>	<p>Front boundary setback – 5.5m</p> <p>Setback to Secondary Road – 4.5m</p> <p>Side boundary setback – 1.5m</p>	<p>Current controls are onerous and dated.</p> <p>The proposed changes align better with the other E4 zones at Kirkham Rise and Harrington Grove.</p>

ORDINARY COUNCIL

ORD04

ORD04

SUBJECT: REVIEW OF DELEGATIONS OF AUTHORITY AND COUNCIL'S ORGANISATIONAL STRUCTURE

FROM: Director Governance

TRIM #: 13/2529

PURPOSE OF REPORT

To report to Council a review of Delegations of Authority and Council's organisational structure in accordance with the requirements of the *Local Government Act 1993*.

BACKGROUND

Review of Delegations of Authority

Section 380 of the *Local Government Act 1993* requires Council to review all its delegations during the first 12 months of each term of office.

Review of Organisational Structure

Section 333 of the *Local Government Act 1993* requires that the organisational structure of each Council be re-determined within 12 months after an ordinary election of the Council.

MAIN REPORT

Review of Delegations of Authority

Section 377 of the *Local Government Act 1993* ("the Act") allows Council "to delegate, by resolution, to the General Manager any of the functions of the Council," with the exception of specific items listed below. These items include such things as:

- the appointment of a General Manager;
- the making of a rate;
- a determination under section 549 as to the levying of a rate;
- the making of a charge;
- the fixing of a fee;
- the borrowing of money;
- the voting of money for expenditure on works, services and operations;
- the acquisition, purchase or sale of land;
- the acceptance of tenders;
- other financial and administrative matters.

In line with current local government practice, Council, on 23 April 2013, granted an en-globo delegation to General Manager, Ron Moore, as permitted under the Act. This practice has considerably streamlined the delegation process throughout Council. It also allows the General Manager to sub-delegate any functions of the General Manager to any person or body including another employee of the Council. Accordingly, the General Manager is able to react promptly to legislative changes or

delegation issues as they occur in order to enable staff to enact the function without delay and put in place the necessary administrative changes.

Following the Council election in September 2012, a review of the delegations to staff has been carried out to ensure that delegations are up to date with legislative requirements, are adequately sub-delegated to staff and are restructured to be role based, rather than individual based.

It is also noted that as part of Council's best practice procedures and as permitted under the current arrangements, all sub-delegations are constantly under review to ensure compliance with legislative changes and current local government practice.

Detailed below are the proposed changes to existing delegations:

Delegations relating to Development Applications

The delegations for DAs were workshopped with Councillors on 26 March 2013. It is intended that the delegations for staff to determine DAs will remain generally the same. It is proposed that staff will retain delegation to approve DAs under delegated authority except where a submission has been received that cannot be resolved by the imposition of conditions or where the DA involves a variation to Council planning instruments, policies or codes, aside from minor variations.

Additional delegations: In addition to the above, it is proposed to include a new delegation to allow DAs involving variations which are more than minor to be approved under delegated authority, subject to the concurrence of the General Manager and the Mayor.

The intent of including this additional delegation is to streamline the determination of DAs that are straightforward aside from a non-compliance with a Council planning instrument, policy or code. Recent examples where this delegation would have removed the need for a Council report include the DA for Michele's patisserie in Camden which required a Council report due to a DCP noncompliance with signage and the DA for the custard shop in Struggletown due to DCP noncompliance with carparking.

Calling a DA to Council: It is also proposed to include an exception that removes staff delegation to determine a DA under delegated authority where a request is received by at least three Councillors for the DA to be reported to Council for determination.

There may be occasion where a Councillor would like a DA to be reported to Council for determination, even though the delegations permit the DA to be determined under delegated authority. It is proposed that the request be endorsed by at least three Councillors, which is consistent with Council's Notice of Rescission process.

Delegations relating to leases and licences

As a matter of practice, Council officers have always reported leases and licences over property owned or vested in the Council to the Council. In line with section 377 of the Act and the practice of many other councils, it is proposed to streamline this process so that the General Manager (and his or her delegate) may approve leases and licences (including subleases and renewals) where the arrangement is straight forward and non-contentious.

Accordingly, it is recommended that the delegation approval to the General Manager be utilised to deal with straight-forward administrative transactions. Where a lease or licence meets one of the following criteria, a report will be brought back to Council.

That the lease or licence is:

- Considered in the General Manager's opinion as contentious;
- The consideration exceeds \$100,000 per annum (GST exclusive); or
- Submissions from the community have been received objecting to the lease/licence agreement.

Review of Organisational Structure

The organisational structure of the Council is the fundamental arrangement of functions, people and resources through which it delivers its responsibilities to its community. In Camden Council's case there are three divisions as follows:

Governance	those functions that provide support and direction to the entire organisation;
Development & Health	those functions that provide rules and policy that govern activity within the Local Government Area; and the assessment of activity against those rules; and
Works & Services	those units and functions which provide a direct service to our constituents or provide specialist capacity to those services.

Each of these divisions fall under the responsibility of a Director employee who reports directly to the General Manager. Within each division are a range of functional branches (9 in total) which are headed by Manager level staff. The nine Managers and three Directors, together with the General Manager, form the Council's Senior Management Team.

Council is advised that the General Manager upon appointment has undertaken an interim review of the organisation's structure in order to meet the requirements of the Local Government Act. Current arrangements are considered acceptable for the time being. Council is advised that a report on the organisational structure will be submitted in the coming months.

FINANCIAL IMPLICATIONS

There are no financial implications arising from this report.

CONCLUSION

In accordance with section 380 of the *Local Government Act 1993*, the Council has granted an en-globo delegation to the General Manager at its ordinary meeting of 23 April 2013. The General Manager has also conducted a review of all sub-delegations within the organisation to ensure compliance with section 380 and that all delegations are up to date and in accordance with legislative obligations.

The organisational structure of a Council provides a framework for the delivery of services, functions and support to its community. Camden Council's current structure is considered satisfactory noting that a future report will be presented to Council.

RECOMMENDED

That Council:

- i. note the review of the Delegations of Authority as required under section 380 of the *Local Government Act 1993*;
- ii. reaffirm the current delegations to the General Manager with the exception of changes to the delegations for DAs involving variations and where Councillors would like a DA reported to Council for determination;
- iii. note that the General Manager will utilise his Delegation of Authority to approve leases and licences (including subleases and renewals) for land owned or vested in the Council, except where:
 - a. the lease/licence is considered in the General Manager's opinion as contentious; or
 - b. the consideration for the lease/licence exceeds \$100,000 per annum (GST exclusive); or
 - c. submissions from the community have been received objecting to the lease/licence agreement.
- iv. comply with section 333 of the *Local Government Act* by re-determining its current organisational structure of three functional divisions and nine branches as currently appropriate.



ORDINARY COUNCIL

ORD05

ORD05

SUBJECT: GENERAL POWER OF ATTORNEY
FROM: Director Governance
TRIM #: 13/2542

PURPOSE OF REPORT

The purpose of this report is to seek Council's approval to appoint Ronald James Moore (General Manager), Lara Jane Symkowiak (Mayor), Steven Scott Kludass (Director of Governance), Nicole Maree Magurren (Director of Development and Health), Vince Capaldi (Director Works and Services) and Paul Andrew Rofe (Manager Corporate Services) to be appointed as Council's attorneys to execute on Council's behalf all documents necessary to give effect to resolutions of Council and/or properly delegated by Council.

BACKGROUND

Can Council Grant a Power of Attorney?

The *Power of Attorney Act 2003* ("POA Act") defines a "principal" as the "the person giving the power". The definition of "person" is not provided in the POA Act, however, is defined in section 21(1) of the *Interpretation Act 1987* as including "an individual, a corporation and a body corporate or politic". Under section 220(1) of the *Local Government Act 1993* ("LG Act") a Council is a body politic of the State with perpetual succession and the legal capacity and powers of an individual, both in and outside the State. As such, Council is permitted to give powers of attorney to individuals.

Powers of Attorney and Delegations

Section 377(1) of the LG Act states that a Council may, by resolution, delegate to the General Manager or any other person or body, any functions of the council other than the functions listed in that section. In the exercise of those functions, such as the sale and purchase of land or the borrowing of money, ordinarily, Council enters into a contract or agreement by affixing its seal to the relevant document in accordance with clause 400 of the *Local Government (General) Regulations 2005*.

Council may resolve the signing of documents which give effect to the resolution of Council to individuals even where the matter may relate to a non-delegable function. The making of such a resolution does not result in a delegation of a non-delegable function, but rather provides for a more efficient process for the signing of relevant documents than by affixing the seal of the Council to those documents.

Furthermore, in circumstances where Council has delegated authority in accordance with section 377(1) of the LG Act, it is possible for Council to resolve that the signing of documents which give effect to the delegated functions be done under power of attorney.

What kind of Power of Attorney?

There are three types of grants as follows:

- Prescribed powers of attorney;
- Irrevocable powers of attorney; and
- Enduring powers of attorney.

Irrevocable powers of attorney remain effective despite bankruptcy, mental incapacity or death. Enduring powers of attorney remain effective, even where the principal lacks capacity. Such powers of attorney are not relevant where the principal is a Council. As such, Council should only give power of attorney to the attorneys listed above in the form of a prescribed power of attorney. Such power of attorney can be terminated, revoked or suspended by Council at any time.

MAIN REPORT

It is proposed to appoint Ron Moore (General Manager), Lara Symkowiak (Mayor), Steve Kludass (Director of Governance), Nicole Magurren (Director of Development and Health), Vince Capaldi (Director Works and Services) and Paul Rofe (Manager Corporate Services) as attorneys as follows:

- A prescribed power of attorney be granted to enable the attorneys to execute documents to give effect to resolutions of the Council made pursuant to its non-delegable functions under section 377(1) of the *Local Government Act 1993*;
- A prescribed power of attorney be granted to enable the attorneys to execute documents to give effect to functions of the Council which the Council has validly delegated under section 377(1) of the *Local Government Act 1993*.

The signing of documents by attorney under a prescribed power of attorney is a more efficient way of implementing decisions of the Council rather than by affixing the Seal of Council to documents in the presence of two people (including at least one Councillor) in accordance with the requirements of clause 400 of the *Local Government (General) Regulations 2005*.

If Council is of a mind to grant the proposed prescribed power of attorney, it should also be registered with the Department of Lands to enable execution of documents of title for registration. A one-off fee of approximately \$100 is payable for the registration.

A register of documents signed under the prescribed power of attorney would be maintained by the General Manager's office and would be reported biannually to the Council.

The Council would be free to terminate or suspend the prescribed power of attorney at any time after giving the attorneys notification.

The Pro's and Con's

The purpose of the prescribed power of attorney is to enable execution of documents arising from a Council resolution and/or exercised as a result of delegated authority. The benefit of implementing a prescribed power of attorney is that the documents are more expeditiously executed ensuring that decisions are followed through efficiently

and effectively and are not delayed due to the procedural requirements of affixing the Council Seal.

The negative aspect of a prescribed power of attorney is that it must be registered with the Department of Lands for transactions dealing with land and there is a registration fee of approximately \$100 payable. Furthermore, the prescribed power of attorney must be updated if there is a change in staff or Mayor.

Ultimately however, the minor registration fee and administration burden is outweighed by the overall advantages and efficiencies given to decisions of Council and/or exercised under delegations.

The appointment of five attorneys will ensure that at least one of the attorneys is available when required.

It is also apparent that many other councils grant powers of attorney including (without limitation) Blue Mountains Council, City of Sydney, North Sydney Council, Warringah Council, Hornsby Shire Council and Burwood Council.

It is important to note that this resolution in no way diminishes the reports that come before Council for resolution. Rather, this is to implement a post resolution efficiency improvement.

FINANCIAL IMPLICATIONS

There are no financial implications arising from this report other than the one-off fee of \$100 for the registration costs at the Department of Lands.

CONCLUSION

Under section 377(1) of the LG Act, Council can, by resolution, delegate to the General Manager any function of the Council other than those functions listed in that section. This function must only be exercised by the Council.

There is however no prohibition on Council delegating the signing of documents which give effect to the resolution of Council. Council is also not prohibited from delegating the signing of documents which give effect to the delegated functions to be done under the power of attorney. Put simply, this provides for more efficient processing for the signing of relevant documents.

RECOMMENDED

That Council:

- i. delegate to Ronald James Moore (General Manager), Lara Jane Symkowiak (Mayor), Steven Scott Kludass (Director of Governance), Nicole Maree Magurren (Director of Development and Health), Vince Capaldi (Director Works and Services) and Paul Andrew Rofe (Manager Corporate Services) a prescribed power of attorney in accordance with the General Power of Attorney attached to the report;**
- ii. authorise the Mayor and General Manager to execute the General Power of Attorney under the Seal of Council (as attached);**

-
- iii. **receive a report from the General Manager biannually on all documents signed under the prescribed Power of Attorney.**

ATTACHMENTS

1. General Power of Attorney

GENERAL POWER OF ATTORNEY**PART 1 – GENERAL**

THIS POWER OF ATTORNEY is made on the _____ day of _____ 2013 by **CAMDEN COUNCIL** (Principal) of 37 John Street, Camden, in the State of New South Wales (the "Council").

1. The Council appoints:

- (a) **RONALD JAMES MOORE** of 37 John Street, Camden, in the State of New South Wales (General Manager); and
- (b) **LARA JANE SYMKOWIAK** of 37 John Street, Camden, in the State of New South Wales (Mayor); and
- (c) **STEVEN SCOTT KLUDASS** of 37 John Street, Camden, in the State of New South Wales (Director of Governance); and
- (d) **NICOLE MAREE MAGURREN** of 37 John Street, Camden, in the State of New South Wales (Director Development and Health);
- (e) **VINCE CAPALDI** of 37 John Street, Camden, in the State of New South Wales (Director Works and Services); and
- (f) **PAUL ANDREW ROFE** of 37 John Street, Camden, in the State of New South Wales (Manager Corporate Services)

to be its attorneys. The Council's attorneys may exercise the authority conferred on them by Part 2 of the *Powers of Attorney Act 2003* to do on the Council's behalf anything the Council may lawfully authorise an attorney to do. The authority of the Council's attorneys is subject to any additional details specified in Part 2 of this document.

2. This power of attorney operates immediately.

PART 2 – ADDITIONAL POWERS AND RESTRICTIONS

3. This power of attorney is subject to the following conditions and limitations:

- (a) The attorneys are each appointed by the Council to act for the Council and in its name and as its act and deed to:
 - (i) Execute and deliver any of the following documents:
 - (1) any "conveyance" (including a lease), as defined in section 7 of the *Conveyancing Act 1919*;
 - (2) any "dealing" as defined in section 3 of the *Real Property Act 1980*;

ORD05

Attachment 1

ORD05

Attachment 1

- (3) any instrument creating, varying, terminating, extinguishing or otherwise affecting any right, obligation or interest of the Council;
 - (4) any contracts for the performance, provision or receipt of works, services and/or goods;
 - (5) any agreement with the New South Wales Government or the Australian Government, or with any public authority or any other local government authority;
 - (6) any other documents considered by any of the attorneys to be necessary or desirable in connection with the documents referred in sub-paragraphs (1), (2), (3), (4), or (5); and
 - (7) any documents amending, varying or changing any of the documents referred to in sub-paragraphs (1), (2), (3), (4), (5) or (6) as any of the attorneys approve (that approval being evidenced by the attorney's execution of the document concerned); and
- (ii) do all such things as the attorneys consider necessary or desirable for the effectual exercise of the power granted by this power of attorney or otherwise for the purposes of any of the transactions contemplated by any of the documents referred to in paragraph 3(a)(i).
- (b) The powers set out in paragraph (3)(a) may only be exercised by the attorneys or any of them:
 - (i) to give effect to a resolution of the Council; or
 - (ii) in the course of performing any function delegated by the Council in accordance with the provisions of the *Local Government Act 1993*.
- 4. The Council agrees to ratify and confirm any acts done by the attorneys or any of them in the exercise of the powers conferred by this power of attorney including whatever the attorneys do between the revocation of this power of attorney and the time of such revocation becoming known to the attorneys.
 - 5. The Council indemnifies and agrees to keep indemnified the attorneys and each of them against any liability, loss or expense (of whatever nature) arising from the exercise of the powers conferred upon them by and under this power of attorney.

Whereupon the Common Seal of **CAMDEN**)
COUNCIL was hereunto affixed by the authority)
of the Council in accordance with a resolution)
passed at the ordinary meeting of the Council)
held on day of 2013.)

.....
Mayor

.....
General Manager

Acceptance by Attorney

I accept my appointment as an attorney under this power of attorney.

Dated

Signature
Ronald James Moore

Acceptance by Attorney

I accept my appointment as an attorney under this power of attorney.

Dated

Signature
Lara Jane Symkowiak

Acceptance by Attorney

I accept my appointment as an attorney under this power of attorney.

Dated

Signature
Steven Scott Kludass

Acceptance by Attorney

I accept my appointment as an attorney under this power of attorney.

Dated

Signature
Nicole Maree Magurren

ORD05

Attachment 1

ORD05

Acceptance by Attorney

I accept my appointment as an attorney under this power of attorney.

Dated

Signature

Vince Capaldi

Acceptance by Attorney

I accept my appointment as an attorney under this power of attorney.

Dated

Signature

Paul Andrew Rofe

Attachment 1

ORDINARY COUNCIL

ORD06

ORD06

SUBJECT: PRIVACY MANAGEMENT PLAN FOR LOCAL GOVERNMENT
FROM: Director Governance
TRIM #: 13/7967

PURPOSE OF REPORT

The purpose of this report is to inform Councillors of the requirement for a revised Privacy Management Plan for Local Government and seek adoption of the Plan **attached to this report.**

BACKGROUND

On 22 January 2013, the Division of Local Government issued a circular advising councils of the release of a new Model Privacy Management Plan for Local Government.

Under the *Privacy and Personal Information Protection Act 1998* ("the PPIPA") Council is required to prepare a Privacy Management Plan.

Council's Privacy Management Plan has remained in place since 2000.

MAIN REPORT

The Model Privacy Management Plan for Local Government has been prepared in consultation with the Office of the Privacy Commissioner and the Local Government and Shires Association of NSW.

The proposed Privacy Management Plan has been based upon the Model Plan issued by the Division of Local Government and incorporates the following changes/updates:

- The plan now incorporates the requirements of the *Health Records and Information Privacy Act 2002* which commenced on 1 September 2004;
- The plan includes references to the *Government Information (Public Access) Act 2009* which commenced on 1 July 2010.
- The Information Protection Principles and Health Privacy Principles have been set out in table format for ease of reference.

Ultimately, the Privacy Management Plan ensures that:

- the Community are aware of how their personal information will be used, stored and accessed after it is collected by the council; and
- Council staff are aware of their obligations in relation to handling personal information and when they can and cannot disclose, use or collect it.

FINANCIAL IMPLICATIONS

There are no financial implications arising from this report.

CONCLUSION

The Privacy Management Plan has been updated to reflect legislative changes, and has been reformatted in areas for ease of readability.

The revised Privacy Management Plan is compliant with the Division of Local Government's Model Plan.

RECOMMENDED

That Council:

- i. adopt the attached Privacy Management Plan; and**
- ii. forward a copy of the revised Privacy Management Plan to the Privacy Commissioner.**

ATTACHMENTS

1. Privacy Management Plan



PRIVACY MANAGEMENT PLAN

ORD06

Attachment 1

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PART 1 INTRODUCTION

- 1.1 Council is committed to protecting the privacy of its customers, contractors and employees. The purpose of this Plan is to inform:
- the community about how their personal information will be used, stored and accessed after it is collected by the Council; and
 - Council staff of their obligations in relation to handling personal information and when they can and cannot disclose, use or collect it.
- 1.2 The *Privacy and Personal Information Protection Act 1998* ("PPIPA") requires all public sector agencies to prepare, implement and review their Privacy Management Plan ("the Plan"). This Policy outlines how Camden Council complies with the legislative requirements of the PPIPA, the *Health Records and Information Privacy Act 2002* ("HRIPA") and the *Privacy Code of Practice for Local Government* ("the Code").
- 1.3 Nothing in this Plan is to affect:
- any matter of interpretation of the Code or the Information Protection Principles as they apply to the Council; or
 - create, extend or lessen any obligation at law which the Council may have.

What is personal information?

- 1.4 "Personal information" is defined in section 4 of the PPIPA as follows:
- "Personal information is defined to mean information or an opinion about an individual whose identity is apparent or can reasonably be ascertained from the information or opinion. This information can be on a database and does not necessarily have to be recorded in a material form."*
- 1.5 Personal information does not include information about an individual that is contained in a publicly available publication. Personal information, once it is contained in a publicly available publication, ceases to be covered by the PPIPA.
- 1.6 Where the Council is requested to provide access or make a disclosure and that information has already been published, then the Council will rely on the provisions of the relevant Act that authorises Council to hold that information and not the PPIPA (for example, a formal or informal request under the *Government Information (Public Access) Act 2009* ("GIPAA").
- Council considers the following publicly available publications:
- An advertisement containing personal information in a local, city or national newspaper;
 - Personal information on the Internet;
 - Books or magazines that are printed and distributed broadly to the general public;
 - Council Business papers or parts that are available to the general public;
 - Personal information that may be a part of a public display on view to the general public.
- 1.7 In accordance with GIPAA, when inviting public submissions and as soon as practicable after a submission is received, Council will advise people that their submission, including any personal information in the submission, will be made publicly available.

- 1.8 Council will refer any requests for copies of the Electoral Roll to the State Electoral Commissioner.

What is health information?

- 1.9 Health information is defined in the HRIPA as:

“personal information that is information or an opinion about the physical or mental health or a disability (at any time) of an individual or an individual’s express wishes about the future provision of health services to him or her or a health service provided or to be provided to an individual.”

Any reference to personal information in this plan includes health information.

Application of this Plan

- 1.10 The PPIPA and this Plan apply, wherever practicable, to:
- Council officials (Councillors);
 - Council employees;
 - Consultants and contractors of the Council;
 - Council Volunteers;
 - Council owned businesses; and
 - Council committees (including those which may be established under s. 355 of the *Local Government Act 1993* (“LGA”).

Personal and Health Information Held by Council

- 1.11 The Council holds personal information concerning Council officials, such as:
- Personal contact information;
 - Complaints and disciplinary matters;
 - Disclosure of interest returns; and
 - Entitlements to fees, expenses and facilities.

The Council holds personal and health information concerning its customers, ratepayers and residents, such as:

- Rates records;
- Library lending records;
- Burial and cremation records; and
- Development applications and submissions.

The Council holds personal and health information concerning its employees, such as:

- recruitment material;
- pre-employment medical information;
- workers compensation investigations;
- grievance complaints;
- child protection support;
- protected disclosure investigations;
- leave and payroll data;
- personal contact information;
- performance management plans;
- disciplinary matters;
- pecuniary interest returns; and
- wage and salary entitlements.

Collection, Use, Accuracy and Storage

- 1.12 Personal and Health Information is only collected and used for relevant purposes and will not be excessive or unreasonably intrusive. Wherever possible, Council will notify the person at the time that personal information is being collected.
- 1.13 When collecting personal information, Council will check accuracy by confirming directly with the person to make sure their details are recorded correctly.
- 1.14 Council will record and store personal information collected on secure electronic and hardcopy registers. No one other than relevant Council staff can access these registers. Council will be particularly careful when dealing with sensitive personal information such as racial origin, health information or sexuality. It is noted that the Employee & Community Relations team will have higher levels of security when dealing with personnel records and other sensitive information. In some cases, Employee & Community Relations will also record on separate files from personnel files, particularly sensitive information when required.

Applications for Suppression in Relation to General Information

- 1.15 Where an application for suppression is made in relation to anything other than a public register, then an application under section 739 of the LGA is required.
- 1.16 Section 739 of the LGA covers all publicly available material under section 12(1) and 12(6) of the LGA other than public registers. As such, it limits disclosure in those circumstances where an application for suppression is successful. An application for suppression must be verified by statutory declaration and otherwise meet the requirements of section 739. When in doubt, Council will err in favour of suppression.
- 1.17 In some cases, employees may make an application for suppression of their personal information (eg. private contact details) under this provision. Assistance can be sought from the Council's Employee & Community Relations and Governance Teams on this matter.

Applications for Access to Own Personal Information

- 1.18 A person wishing to have access to their own personal information need only prove their identity to Council before having access to their own personal information (see Appendix 5).

PART 2 PUBLIC REGISTERS

- 2.1 A public register is defined as “a register of personal information that is required by law to be, or is made, publicly available or open to public inspection (whether or not on payment of a fee)”.
- 2.2 A distinction must be drawn between “public registers” within the meaning of Part 6 of the PPIPA and “non-public registers”. A “non-public register” is a register but it is not a “public register” for the purposes of the PPIPA. For example, the register might not be publicly available or it may not contain personal information.
- 2.3 The Council holds the following public registers under the LGA:
- Section 53 - Land Register
 - Section 113 - Records of Approvals
 - Section 449 - 450A - Register of Pecuniary Interests

Note – this is purely indicative. Council may, by virtue of its own practice, hold other Public Registers, to which the PPIPA applies.

Council holds the following public registers under the *Environmental Planning and Assessment Act*:

- Section 100 – Register of consents and approvals
- Section 149G – Record of building certificates

Council holds the following public register under the *Protection of the Environment (Operations) Act 1997*:

- Section 308 – Public register of licences held

Council holds the following public register under the *Impounding Act 1993*:

- Section 30 & 31 – Record of impounding

Disclosure of Personal Information Contained in Public Registers

- 2.4 Personal information contained in a public register will only be disclosed where Council is satisfied that it is to be used for a purpose relating to the purpose of the register (such purposes are set out below).
- 2.5 Disclosure in relation to personal information not contained in a public register must comply with the Information Protection Principles as outlined in this Plan.
- 2.6 A person seeking a disclosure concerning someone else’s personal information from a public register must make application to Council and outline their reasons and purpose.

Effect on Section 6 of the GIPAA

- 2.7 Section 57 of the PPIPA requires very stringent controls over the disclosure of personal information contained in a public register. It provides broadly that when Council is responsible for keeping a public register, it will not disclose any personal information kept in that register unless it is satisfied that the information is to be used for the purpose of that register of the Act under which the register is kept.
- 2.8 Section 57 of the PPIPA prevails over clause 1(3) of Schedule 1 of the *Government Information (Public Access) Regulations 2009* to the extent of any inconsistency. Therefore:

- (a) If a register is listed in Schedule 1 of the GIPA Regulations, access must not be given except in accordance with section 57(1) of the PPIPA.
- (b) If a register is not listed in Schedule 1 of the GIPA Regulations, access must not be given except:
 - (i) if it is allowed under section 57(1) of the PPIPA; and
 - (ii) there is no overriding public interest against disclosure of the information under section

Note: Both (a) and (b) are amended with regard to specific public registers in the Privacy Code of Practice for Local Government.

Where Some Information in the Public Register has been Published

- 2.9 Some of Council's public registers include:
 - Section 53 - Land Register
 - Section 113 - Records of Approvals
 - Section 449 - 450A - Register of Pecuniary Interests
- 2.10 The part of a public register that is not published (eg. part of the Land register) will be treated as a "public register" and the following procedure for disclosure will apply.
- 2.11 For example, the Register of Consents and Approvals held by Council under section 100 of the *Environmental Planning and Assessment Act 1979* requires Council to advertise or publish applications for development consent.
- 2.12 When Council publishes the address of the property, it may identify the owner. The personal information that has not been published and any applications not advertised or that have been rejected or withdrawn (and hence also not published) will be treated as a public register under the PPIPA.
- 2.13 Council may hold a register under the *Contaminated Land Management Act 1997* on behalf of the Environmental Protection Authority. This is not to be considered a public register of the Council as the statute does not place any obligations on the Council to make this register publicly available. Furthermore, the legislation foreshadows that the Environment Protection Authority may indeed post this list or register on the internet. This may constitute a publication of the information and therefore the PPIPA will not apply.

Registers should not be published on the internet.

Purposes of Public Registers

- 2.14 Section 53 - Land Register – The primary purpose is to identify all land vested in Council, or under its control. The secondary purpose includes a consideration of public accountability as to the land held by Council. Third party access is therefore a secondary purpose.

Section 113 - Records of Approvals – The primary purpose is to identify all approvals granted under the LGA.

Section 450A - Register of Pecuniary Interests – The primary purpose of this register is to determine whether or not a Councillor or a member of a council committee has a pecuniary interest in any matter with which the council is likely to be concerned. There is a corresponding public accountability purpose and third party access is a secondary purpose. For the purpose of clarity, a pecuniary

interest is an interest that a person has in a matter because of an expectation of significant financial gain or loss. Register of consents and certificates – The primary purpose is to identify all building certificates.

Public register of licences – The primary purpose is to identify all licences granted under the *Protection of the Environment Operations Act 1997*.

Record of impounding – The primary purpose is to identify any impounding action by Council.

- 2.15 If an Applicant's purpose for the information is unclear, Council officers may require the applicant to complete a Statutory Declaration as to the purpose and use of the information (see the Form at Appendix 1 as a guide).
- 2.16 If the stated purpose of the application does not conform with the purpose for which the public register is kept, access to the information sought will not be given.
- 2.17 Where personal information is contained in a publicly available publication, that information will not be regarded as personal information covered by the PPIPA.

Other Purposes

- 2.18 Persons or organisations who apply to Council to have access to the information contained in any public register for a purpose not related to the purpose of the register, may be given access at the discretion of Council but only in accordance with the Privacy Code of Practice for Local Government concerning Public Registers.

Other Registers

- 2.19 Council may have other registers that are not public registers. The Information Protection Principles, this Plan, any applicable Code and the Act apply to those registers or databases.
- 2.20 A register that Council keeps that is not a public register is the Rates Record and Council's position on this record is as follows:

Rates Record – The primary purpose is to record the value of a parcel of land and record rate liability in respect of that land (s 602 LGA). The secondary purpose includes recording the owner or lessee of each parcel of land. For example, a disclosure on a rating certificate that a previous owner was a pensioner is considered to be allowed, because the secondary purpose is "a purpose relating to the purpose of the register". Public access to the rates record will only be granted where the purpose of the access is to obtain information necessary for a statutory purpose such as the service of a notice under the *Dividing Fences Act 1991*. The rates record will also be used by Council to notify relevant land owners of development applications and other matters where Council is required or wishes to consult its local community.

- 2.21 Where an application is made to serve a notice under the *Dividing Fences Act 1991*, Council will require satisfactory completion of a Request for Personal Information to Serve a Notice Under the Dividing Fences Act 1991, Section 21 Form, before personal information will be disclosed under this Act. Such form is available from Council's website or Customer Service counters.

- 2.22 Council may also request at any time for an applicant to complete a Statutory Declaration confirming the proposed use of the personal information (see Appendix 1).

Applications for Access to Own Personal Information

- 2.23 A person wishing to have access to a public register to confirm their own details need only to prove their identity to Council before having access to their own personal information (see Appendix 5).
- 2.24 Council will also assist a person to find out whether their personal information is held by Council, the nature of the information, the purpose for which it was collected and their rights of access.

Applications for Suppression in Relation to a Public Register

- 2.25 An application for suppression in relation to a public register will be dealt with under the PPIPA, rather than section 739 of the LGA.
- 2.26 A person about whom personal information is contained (or proposed to be contained) in a public register, may request Council under section 58 of the PPIPA to have the information removed from, or not placed on the register.
- 2.27 If Council is satisfied that the safety or well-being of any person would be affected by not suppressing the personal information as requested, Council will suppress the information in accordance with the request unless Council is of the opinion that the public interest in maintaining public access to the information outweighs any individual interest in suppressing the information, in accordance with section 58(2) of the PPIPA ("Well-being" is defined in the Macquarie Dictionary as "the good or satisfactory condition of existence; welfare"). When in doubt, Council will err in favour of suppression.
- 2.28 Any information that is removed from, or not placed on, that aspect of a public register to be made public may be kept on the register for other purposes. That is, the information may still be used for council functions, but it cannot be disclosed to other parties.
- 2.29 An application for suppression should be made in writing addressed to the General Manager and must outline the reasons for the request. The Council may require supporting documentation where appropriate.

Offences

- 2.30 Offences can be found in ss 62-68 of the PPIPA and ss 68-70 of the HRIPA. It is an offence for Council to:
- Intentionally disclose or use personal information for an unauthorised purpose;
 - Offer to supply personal information that has been disclosed unlawfully;
 - Hinder the Privacy Commissioner or a member of staff from doing their job.

PART 3 INFORMATION PROTECTION PRINCIPLES

- 3.1 The following table sets out the Privacy Protection Principles contained in the PPIPA, if any of the Principles are varied by the Privacy Code of Practice for Local Government and Council's Policy on each Principle.
- 3.2 Where Council is conducting an investigation, it will have regard to any applicable Direction of the Privacy Commissioner under s 41 of the PPIPA that may affect any of the Privacy Information Protection Principles.
- 3.3 Compliance with the Information Protection Principles is subject to certain exceptions under the Act, as outlined in the table below. If one of those exceptions apply, Council need not comply with the Principles. The statutory exemption will be relied upon only in limited circumstances and legal advice should normally be obtained.

Privacy and Personal Information Protection Act 1998	Privacy Code of Practice for Local Government	Council Policy
<p>Collection</p> <p>1. Lawful – Personal information must be collected for a lawful purpose that is directly related to the agency's functions or activities and be necessary for that purpose.</p>	<p>The Code makes no provision to depart from the requirements of this provision.</p>	<p>Council will only collect personal information for a lawful purpose as part of its proper functions. The LGA governs Council's major obligations and functions.</p> <p>The circumstances under which Council may collect information, including personal information, are varied and numerous. Council will not collect any more personal information than is reasonably necessary for it to fulfil its proper functions.</p> <p>Anyone engaged by Council as a private contractor or consultant that involves the collection of personal information is also bound not to collect personal information by any unlawful means.</p>
<p>2. Direct – Personal information must be collected directly from the individual, unless that person consents otherwise. Parents or guardians may give consent for minors.</p>	<p>The Code makes provision for Council to depart from this principle where indirect collection of personal information is reasonably necessary when an award, prize, benefit or similar form of personal recognition is intended to be conferred upon the person to whom the information relates.</p>	<p>The compilation or referral of registers and rolls are the major means by which the Council collects personal information – eg. forms that customers may complete and lodge with Council for development consent, companion animal registration, applications for specific inspections or certifications or applications in respect of rezoning or other orders. Council will collect all personal information directly from its customers except as provided in section 9 or under other statutory exemptions or Codes of Practice.</p> <p>Exceptions to this Principle include:</p> <ul style="list-style-type: none"> • S 23(2) PPIPA if information is collected in connection with proceedings (whether or not actually commenced) before any court or tribunal. • S 24(4) PPIPA if Council is investigating or otherwise handling a complaint or other matter that could be referred or made to, or has been referred from or made by, an investigative agency; and if compliance might detrimentally affect (or prevent the exercise of) the Council's complaint handling or investigative functions. • S 25(a) PPIPA if agency is lawfully authorised or required not to comply with principle. • S 25(b) PPIPA where non-compliance is "necessarily implied" or "reasonably contemplated" under any Act or law. • S 26(1) PPIPA if compliance would prejudice the interests of the individual concerned. <p>When collecting personal information, Council will ensure one of the following:</p> <ul style="list-style-type: none"> • Council has obtained authority from the person under s9(a) PPIPA. • The collection of personal information from a third party is permitted under an Act or law. • The collection of personal information from a parent or guardian is permitted provided the person is less than 16 years of age. • Collection of personal information indirectly where one of the above exemptions applies. • The collection of personal information indirectly is permitted under the Privacy Code of Practice for Local Government or the Investigative Code of Practice.

Privacy and Personal Information Protection Act 1998	Privacy Code of Practice for Local Government	Council Policy
<p>3. Awareness – An individual must be informed that the personal information is being collected, why it is being collected and who will be storing and using it. The agency should also inform the person how they can view and correct the information.</p>	<p>The Code makes provision for Council to depart from this principle where personal information is collected about an individual for the purpose of conferring upon that person, an award, prize, benefit or similar form of personal recognition without prior or subsequent notification.</p>	<p>When collecting personal information, Council will inform that person that:</p> <ul style="list-style-type: none"> personal information is being collected What is done with that information The intended recipients If the information is required by law or voluntarily given Which department or section within Council holds personal information The right to access and correct information. <p>Where Council collects personal information from another public sector agency in respect of any one of its statutory functions, it will advise those individuals that it has collected their personal information by including a privacy notification form in the next issue of their rates notice, or otherwise by letter.</p> <p>This is subject to the following exceptions:</p> <ul style="list-style-type: none"> S 23(3) where information is collected for law enforcement purposes. S 24(4) if Council is investigating or otherwise handling a complaint or other matter that could be referred or made to, or has been referred from or made by, an investigative agency, and if compliance might detrimentally affect (or prevent the exercise of) the Council's complaint handling or investigative functions. S 25(a) where agency is lawfully authorised or required not to comply. S 25(b) where non-compliance is "necessarily implied" or "reasonably contemplated" under any Act or law. S 26(1) if compliance would prejudice the interests of the individual concerned. S 26(2) where person expressly consents to such non-compliance. Disclosure of personal information for research purposes is governed by applicable Direction made by the Privacy Commissioner under s 41 of the PPIPA or any Research Code of Practice. <p>The disclosure of personal information for research purposes will be allowed only in accordance with any applicable Direction made by the Privacy Commissioner under s 41 of the PPIPA or any Research Code of Practice made by the Attorney General as may be in force for the time being.</p>
<p>4. Relevant – Personal information must be relevant, accurate, up-to-date, complete and not excessive. The collection should not unreasonably intrude into the individual's personal affairs.</p>	<p>Code makes no provision to depart from this provision.</p>	<p>Council will seek to ensure that no personal information is collected which is not directly relevant to its proper functions.</p>

Privacy and Personal Information Protection Act 1998	Privacy Code of Practice for Local Government	Council Policy
<p>Storage</p> <p>5. Secure – Personal information must be stored securely, not kept any longer than as required by the General Retention and Disposal Authority for Local Government Records issued by State Records Authority of NSW, and be disposed of appropriately. It should be protected from unauthorised access, use or disclosure.</p>	<p>Code makes no provision to depart from this provision.</p>	<p>Council may comply with this principle by using any or all of the following or similar documents.</p> <ul style="list-style-type: none"> • Council's Records Management Policy • Council's Internet and Email Access Policy <p>The disclosure of personal information for research purposes will be allowed only in accordance with any applicable Direction made by the Privacy Commissioner under s 41 of the PPIPA or any Research Code of Practice made by the Attorney General as may be in force for the time being.</p>
<p>Access</p> <p>6. Transparent – Enough detail must be given about what personal information is stored, why it is stored and what rights an individual has to access it.</p>	<p>Code makes no provision to depart from this provision.</p>	<p>If Council holds any information about a person, upon request it will advise them the nature of that information, the main purposes for which it is held, and that person's entitlement to access. As a matter of practicality, not every item of personal information, however insignificant, will be capable of discovery.</p> <p>This principle is subject to any applicable conditions or limitations contained in the GIPAA.</p> <p>Council will ordinarily provide a response to applications of this kind within 28 days of the application being made. The fee structure is commensurate to that of Council's GIPAA rates structure.</p> <p>Exceptions include</p> <ul style="list-style-type: none"> • S 25(a) where Council is lawfully authorised or required not to comply. • S 26(b) where non-compliance is "necessarily implied" or "reasonably contemplated" under any Act or law.

Privacy and Personal Information Protection Act 1998	Privacy Code of Practice for Local Government	Council Policy
<p>7. Access – An individual must be allowed to access their personal information without unreasonable delay or expense.</p>	<p>Code makes no provision to depart from this provision.</p>	<p>Section 14 of the PPIPA requires a council, at the request of any person, to give access to that person to personal information held about them.</p> <p>If access to information that relates to someone else is sought, the application must be made under the GIPAA, unless Information Protection Principles 11 and 12 or the Public Register provisions apply.</p> <p>Where a person makes an application for access under the PPIPA and it is involved or complex, it may be referred, with the written consent of the applicant, as an application under the GIPAA. However use of the GIPAA is to be a last resort. The applicant has the right to insist on being dealt with under the PPIPA.</p> <p>This principle is subject to any applicable conditions or limitations contained in the GIPAA.</p> <p>Customers wishing to exercise their right of access to their own personal information should apply in writing or direct their inquiries to the General Manager, who will make a determination.</p> <p>In order to comply with the requirement to provide the requested information "without excessive delay or expense" Council will ordinarily provide a response to applications of this kind within 28 days of the application being made.</p> <p>Exceptions include:</p> <ul style="list-style-type: none"> • S 25(a) where Council is lawfully authorised or required not to comply. • S 25(b) where non-compliance is "necessarily implied" or "reasonably contemplated" under any Act or law.

Privacy and Personal Information Protection Act 1998	Privacy Code of Practice for Local Government	Council Policy
<p>8. Alteration – An individual must be allowed to update, correct or amend their personal information, where requested.</p>	<p>Code makes no provision to depart from this provision.</p>	<p>Council wishes to have its information current, accurate and complete. Proposed amendments or changes to the personal information held by the Council are welcomed.</p> <p>If Council declines to amend personal information as requested, it will on request of the individual concerned, place an addendum on the information in accordance with s 15(2) of the PPIPA.</p> <p>Where there are complaints that are or could be the subject of a staff complaint or grievance, they will be referred to the Manager Employee & Community Relations in the first instance and treated in accordance with Council's Grievance Procedure and Complaint Management Policy.</p> <p>Any allegations that are or could be the subject of a customer complaint or grievance will be referred to the General Manager, who will make a determination in relation to the matter.</p> <p>Where information is requested to be amended (either by way of correction, deletion or addition), the request must be made by the individual to whom the information relates. That request should be accompanied by appropriate evidence as to the cogency of the making of the amendment, sufficient to satisfy the Council that the proposed amendment is factually correct and appropriate. The Council may require further documentary evidence to support certain amendments. Council will not charge to process an application to amend a record under s 15.</p> <p>If the Council is not prepared to amend the personal information in accordance with a request by the individual the Council may attach to the information in such a manner as is capable of being read with the information, any statement provided by that individual.</p> <p>If personal information is amended in accordance with this section, the individual to whom the information relates is entitled, if it is reasonably practicable, to have the recipients of that information notified of the amendments made by the Council. The Council will seek to notify recipients of information as soon as possible, of the making of any amendment, where it is reasonably practicable.</p> <p>Exceptions include:</p> <ul style="list-style-type: none"> • S 25(a) where Council is lawfully authorised or required not to comply. • S 25(b) where non-compliance is "necessarily implied" or "reasonably contemplated" under any Act or law.
<p>Use</p> <p>9. Accurate – An agency must ensure that personal information is accurate before using it.</p>	<p>Code makes no provision to depart from this provision.</p>	<p>The steps taken to comply with section 15 will depend on the age of the information, its likelihood of change and the particular function for which the information was collected.</p> <p>The more significant the information, the greater the necessity that checks to ensure its accuracy and currency be undertaken prior to its use.</p>

Attachment 1
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Privacy and Personal Information Protection Act 1998	Privacy Code of Practice for Local Government	Council Policy
<p>10. Limits—An agency may only use personal information for the purpose for which it was collected, for a directly related purpose or for a purpose for which the individual has given consent. It may also be used without consent in order to deal with a serious and imminent threat to any person's life, health or safety.</p>	<p>The Code makes provision that Council may use personal information for a purpose other than the purpose for which it was created in the following circumstances:</p> <p>(i) Where the use is in pursuance of Council's lawful and proper functions and Council is satisfied that the personal information is reasonably necessary for the exercise of such functions; or</p> <p>(ii) Where personal information is to be used for the purpose of conferring upon a particular person, an award, prize, benefit or similar form of personal recognition.</p>	<p>Council will seek to ensure that information collected for one purpose will be used for that same purpose. Where Council may need to use personal information collected for one purpose for another purpose, it will first gain the written consent of the individual concerned, unless an exception applies.</p> <p>Exceptions include:</p> <ul style="list-style-type: none"> • S 23(4) where the use of the information for another purpose is reasonably necessary for law enforcement purposes or for the protection of the public revenue. <i>Law enforcement purposes</i> mean a breach of the criminal law and criminal law enforcement. This section does not remove the rights of an accused person. <i>Protection of the public revenue</i> means a fraud with respect to taxes or other revenue earning processes such as avoidance of stamp duty. • S 24(4) if Council is investigating or otherwise handling a complaint or other matter that could be referred or made to, or has been referred from or made by, an investigative agency, and the use of the information concerned for a purpose other than the purpose for which it was collected is reasonably necessary in order to enable the council to exercise its complaint handling functions or any of its investigative functions. • S 25(a) where Council is lawfully authorised or required not to comply. • S 25(b) where non compliance is "necessarily implied" or "reasonably contemplated" under any Act or law. • S 28(3) where disclosure is to be made to a public sector agency under the administration of the Minister for Local Government or a public sector agency under the administration of the Premier for the purpose of informing the Minister (or Premier) about any matter within the Minister's (or Premier's) administration.

Privacy and Personal Information Protection Act 1998 Disclosure	Privacy Code of Practice for Local Government	Council Policy
<p>11. Restricted – An agency may only disclose personal information with the individual's consent or if the individual was told at the time of collection that it would do so. The agency may also disclose information if it is for a related purpose and it considers that the individual would not object. Personal information may also be used without the individual's consent in order to deal with a serious and imminent threat to any person's life, health or safety.</p>	<p>The Code makes provision for council to depart from this principle in the circumstances described below:</p> <ol style="list-style-type: none"> 1. Council may disclose personal information to public sector agencies or public utilities on condition that: <ol style="list-style-type: none"> (i) The agency has approached Council in writing; (ii) Council is satisfied that the information is to be used by that agency for the proper and lawful functions of that agency; and (iii) Council is satisfied that the personal information is reasonably necessary for the exercise of that agency's functions. 2. Where personal information which has been collected about an individual is to be disclosed for the purpose of conferring upon that person, an award, prize, benefit or similar form of personal recognition. 3. Where Council is requested by a potential employer, it may verify that a current or former employee works or has worked for Council, the duration of that work, and the position occupied during that time. This exception shall not permit Council to give an opinion as to that person's suitability for a particular position with any potential employer unless Council is satisfied that the person has provided their consent for Council to provide a reference, which may include an opinion as to that person's suitability for the position for which he/she has applied. 4. In all other instances, any opinion about an employee should only be provided to nominated referees. 	<p>Council may disclose personal information to another person or other body where this disclosure is directly related to the purpose for which the personal information was collected and the individual concerned is reasonably likely to have been aware, or has been made aware in accordance with s. 10, of the intended recipients of that information. "Directly related" can mean the disclosure to another person or agency to deliver a service which supplements that of Council or disclosure to a consultant for the purpose of assessing or reviewing the delivery of a program to which the original collection relates.</p> <p>Council may disclose personal information to another person or other body where this disclosure is necessary to prevent or lessen a serious and imminent threat to the life or health of the individual concerned or another person.</p> <p>Sections 18 and 57 of the PIPA should be read in conjunction with the Public Register provisions – discussed in Part 2 of this Plan.</p> <p>Exceptions include:</p> <ul style="list-style-type: none"> • S 23(5)(a) where disclosure is made to a law enforcement agency in connection with proceedings for an offence or for law enforcement purposes. • S 23(5)(b) where disclosure is made to a law enforcement agency for the purpose of ascertaining the whereabouts of a person reported to be missing. However, Council need not disclose material that it is entitled to refuse in the absence of a subpoena, warrant or other lawful requirement. • S 23(5)(c) where disclosure is authorised by subpoena, search warrant or other statutory instrument. However, Council need not disclose material that it is entitled to refuse in the absence of a subpoena, warrant or other lawful requirement. • S 23(5)(d)(i) where disclosure is reasonably necessary for the protection of the public revenue. Protection of the public revenue could mean a fraud with respect to taxes or other revenue earning processes such as avoidance of stamp duty. However, Council need not disclose material that it is entitled to refuse in the absence of a subpoena, warrant or other lawful requirement. • S 23(5)(d)(ii) where disclosure is reasonably necessary to investigate an offence where there are reasonable grounds to believe an offence has been committed. • S 24(4) if Council is investigating a complaint that could be referred or made to, or has been referred from or made by, an investigative agency, and if the disclosure is to an investigative agency. • S 25(e) if Council is lawfully authorised or required not to comply. • S 25(b) where non-compliance is "necessarily implied" or "reasonably contemplated" under any Act or law. • S 26(2) where the person expressly consents. • S 28(3) where disclosure is made to a public sector agency under the administration of the Minister for Local Government or a public sector agency under the administration of the Premier for the purpose of informing the Minister (or Premier) about any matter within the Minister's (or Premier's) administration.

Privacy and Personal Information Protection Act 1998	Privacy Code of Practice for Local Government	Council Policy
<p>12. Special Limits on Disclosure – the agency cannot disclose an individual's sensitive personal information without their consent. For example, information about ethnic or racial origin, political opinions, religious or philosophical beliefs, health or sexual activities or trade union membership. It may only disclose sensitive information without consent in order to prevent a serious and imminent threat to any person's life or health.</p>	<p>The Code makes provision for departure from this principle where:</p> <p>For the purposes of s 19(2) only, where Council is requested by a potential employee outside NSW, it may verify that a current or former employee works or has worked for Council, the duration of that work, and the position occupied during that time.</p>	<p>Council will not disclose personal information relating to an individual's ethnic or racial origin, political opinions, religious or philosophical beliefs, trade union membership, health or sexual activities unless the disclosure is necessary to prevent a serious or imminent threat to the life or health of the individual concerned or another person. Sections 19 and 57 should be read in conjunction with the provisions relating to Public Registers.</p> <p>Exceptions include:</p> <ul style="list-style-type: none"> • S 23(7) where disclosure is necessary to investigate an offence or where there are reasonable grounds to believe an offence has been or may be committed. • S 25(a) where Council is lawfully authorised or required not to comply. • S 25(b) where non-compliance is "necessarily implied" or "reasonably contemplated" under any Act or law. • S 26(2) where the person expressly consents. • S 28(2) where in the case of health information, the consent of the person cannot reasonably be obtained and the disclosure is made by an authorised person to another authorised person. "Authorised person" means a medical practitioner, health worker, or other official or employee providing health or community services who is employed or engaged by a public sector agency. • S 28(3) disclosure to a public sector agency under the administration of the Minister for Local Government or a public sector agency under the administration of the Premier for the purpose of informing the Minister (or Premier) about any matter within the Minister's (or Premier's) administration. • It is anticipated that a disclosure of personal information for research purposes will be allowed under a s 41 Direction made by the Privacy Commissioner until such time as a Research Code of Practice is made by the Attorney General.

PART 4 HEALTH PRIVACY PRINCIPLES

- 4.1 In 2002, most references to "health information" were taken out of the PPIPA and separate legislation was enacted. The HRIPA was enacted to deal with this special type of personal information. On and from September 2004, various agencies and organisations, including local councils were expected to comply with the HRIPA in their collection and management of health information.
- 4.2 Health information includes personal information that is information or an opinion about the physical or mental health or a disability of an individual. Health information also includes personal information that is information or an opinion about:
- A health service provided, or to be provided, to an individual;
 - An individual's express wishes about the future provision of health services to him or her;
 - Other personal information collected in connection with the donation of human tissue; or
 - Genetic information that is or could be predictive of the health of an individual or their relatives or descendants.
- 4.3 Health information is defined in s 6 of the HRIPA. Councils will often hold health information by reason of their role in child care and various types of community health support services. It is therefore very important for Council to be familiar with the 15 Health Protection Principles set down in Schedule 1 of the HRIPA.
- 4.4 Examples of health information collected by Council include but not limited to:
- Tree pruning/removal application where residents approach Council for a reconsideration or reassessment of a tree pruning/removal application on medical grounds.
 - Personnel files relating to pre-employment checks, fitness for work, workers compensation etc.
 - Volunteer programs where volunteers are asked to disclose health conditions which may preclude them from some types of volunteer work.
 - Information on families for the purposes of children's services, eg. history of illness, allergies, asthma, diabetes, epilepsy etc.
 - Physical exercise classes.
 - Information may be collected through a healthy community program.
 - Information collected during the process of determining hardship claims under the *Land Acquisition (Just Terms Compensation) Act 1991*
- 4.5 The table below sets out the Health Privacy Principles

Health Records and Information Privacy Act 2002 – Health Privacy Principles	
Collection	
1.	Lawful – Health information must be collected for a lawful purpose that is directly related to the agency's functions or activities and be necessary for that purpose.
2.	Direct – Health information must be collected directly from the person concerned, unless it is unreasonable or impracticable to do so.
3.	Awareness – The person concerned must be informed why health information is being collected about them, what will be done with it and who might see it. The agency should also inform the person how they can view and correct their health information and any consequences if they do not provide their information. If health information is collected about a person from someone else, reasonable steps must be taken to ensure that the person has been notified as above.
4.	Relevant – Health information must be relevant, accurate, complete and up-to-date. The collection should not unreasonably intrude into the individual's personal affairs.
Storage	
5.	Secure – Health information must be stored securely, not kept any longer than as required by the General Retention and Disposal Authority for Local Government Records issued by State Records Authority of NSW, and be disposed of appropriately. It should be protected from unauthorised access, use or disclosure.
Access	
6.	Transparent – Enough detail must be given about what health information is stored, why it is stored and what rights an individual has to access it. Council is not required to comply with a provision of this clause if the council is lawfully authorised or required not to comply; or non-compliance is otherwise permitted (or is necessarily implied or reasonably contemplated) under any Act or other law.
7.	Access – An individual must be allowed to access their health information without unreasonable delay or expense. Council is not required to comply with a provision of this clause if the council is lawfully authorised or required not to comply; or non-compliance is otherwise permitted (or is necessarily implied or reasonably contemplated) under any Act or other law.
8.	Alteration – An individual must be allowed to update, correct or amend their health information, where requested.
Use	
9.	Accurate – An agency must ensure that health information is accurate before using it.
10.	Limits – An agency may only use health information for the purpose for which it was collected, or a directly related purpose that the person would expect. Otherwise, consent is generally required. Secondary purposes include where there is a serious and imminent threat to any person's life, health or safety, for the management of a health service, for training, research or to find a missing person. Additionally, a secondary purpose includes investigation of suspected unlawful activity, to exercise complaint handling functions or investigative functions. See Principle 10 of the HRIPA for a full description of exemptions.
Disclosure	
11.	Limited – An agency may only disclose health information for the purpose for which it was collected, or a directly related purpose that the person would expect. Otherwise, consent is generally required. Secondary purposes include where there is a serious and imminent threat to any person's life, health or safety, for the management of a health service, for training, research or to find a missing person. Additionally, a secondary purpose includes investigation of suspected unlawful activity to exercise complaint handling or investigation functions. See Principle 11 of the HRIPA for a full description of exemptions.
12.	Identifiers – Individuals should only be identified by using unique identifiers if it is reasonably necessary to carry out the agency's functions efficiently.
13.	Anonymity – Individuals must be given the opportunity of receiving services from an agency anonymously where this is lawful and practicable.

<p>14. Transborder Data Flow- Health information must only be transferred outside NSW if Council reasonably believes that the recipient is subject to laws or obligations substantially similar to those imposed by the HRIPA or consent has been given or transfer is under a contract between Council and the individual or transfer will benefit the individual or to lessen a serious threat to an individual's health and welfare, or steps have been taken to ensure that the information will not be handled inconsistently with the HRIPA or transfer is permitted or required under any other law.</p>
<p>15. Linkage – Individuals must expressly consent to participate in any system that links health records across more than one organisation. Health information or the disclosure of their identifier for the purpose of the health records linkage system should only be included if the person has given express consent.</p> <p>Council is not required to comply with this provision if:</p> <ul style="list-style-type: none">• Council is lawfully authorised or required not to comply;• Non-compliance is otherwise permitted (or is necessarily implied or reasonably contemplated) under an Act or any other law; or• The inclusion of the health information about the individual in the health records information system is a use of information that complies with HPP10(1)(f) or a disclosure of information that complies with HPP 11(1)(f).

PART 5 IMPLEMENTATION OF THE PRIVACY MANAGEMENT PLAN

Training Seminars/Induction

- 5.1 Council staff and employees include all of the following:
- Council officials (Councillors);
 - Council employees;
 - Consultants and contractors of the Council;
 - Council Volunteers;
 - Council owned businesses; and
 - Council committees (including those which may be established under s. 355 of the *Local Government Act 1993* ("LGA")).
- 5.2 During induction, annual review or on a regular basis, all employees will be made aware of this Plan and it will be made available for on Council's Intranet and Council's website. Members of the community are able to access a copy of Council's Privacy Management Plan via the Council's website and Customer Service counters. Members of the public may also request a copy of the Plan to be posted to them.
- 5.3 If advice is sought on any aspect of this Privacy Management Plan, Council's Privacy Contact Officer in the Governance Team will be able to assist.
- 5.4 If any queries relate to the management of personal information on personnel matters, the Employee & Community Relations Manager or Team Leader will be able to assist.

Responsibilities of the Privacy Contact Officer

- 5.5 The Public Officer within Council is assigned the role of the Privacy Contact Officer.
- 5.6 In order to ensure compliance with the PPIPA, the Privacy Contact Officer will review all contracts and agreements with consultants and other contractors, rates notices, application forms of whatsoever nature, and other written requests by which personal information is collected by Council, to ensure that Council is in compliance with the PPIPA.
- 5.7 The Privacy Contact Officer will ensure Council in its public areas has special provisions for working with computer screens. Computer screens may require:
- fast screen savers;
 - face the computers away from the public; or
 - only allow the record system to show one record at a time.
- 5.8 Council's electronic databases should also be reviewed to ensure that they contain procedures and protocols to check the accuracy and currency of personal information.
- 5.9 The Privacy Contact Officer will also provide opinions within Council as to:
- Whether the personal information is collected for a lawful purpose;
 - If that lawful purpose is directly related to a function of Council; and
 - Whether or not the collection of that personal information is reasonably necessary for the specified purpose.
- Any further concerns of a legal nature will be referred to Council's solicitor.
- 5.10 The Privacy Contact Officer may assign designated officers as "Privacy Resource

Officers". In this manner the Council may ensure that the information protection principles are more broadly understood and that individual departments have a greater focus on the information protection principles and are directly applied to Council's day to day functions.

PART 6 INTERNAL REVIEW

How Does the Process of Internal Review Operate?

- 6.1 Except where this provision conflicts with any statutory or common law requirement, complaints are to be made within **6 months** of the complainant being first aware of the conduct.
- 6.2 The complaint is to be in writing and addressed to Council's Privacy Contact Officer or General Manager. Queries relating to personnel matters are to be directed to the Manager, Employee and Community Relations. Queries relating to family day care matters should be directed to the Family Day Care Coordinator.
- 6.3 If a complaint is expressed verbally, the Governance Team will record the details of the complaint as soon as practicable and shall forward it to the complainant for verification.
- 6.4 The Privacy Contact Officer will appoint a Reviewing Officer to conduct the internal review. The Reviewing Officer must not be substantially involved in any matter relating to the application. The Reviewing Officer must be an employee and suitability qualified to the satisfaction of the General Manager. The review is to be completed within **60 days** of the lodgement of the complaint.
- 6.5 The Privacy Commissioner must be notified of a review application as soon as practicable after it is received, be briefed on progress and be notified of the outcome of an internal review.
- 6.6 The Privacy Commissioner is entitled to make submissions in relation to internal reviews and Council is required to consider any relevant material submitted by the Privacy Commissioner. The Council must provide the Privacy Commissioner with a draft of the Council's internal review report to enable the Privacy Commissioner to make a submission.
- 6.7 Council may provide a copy of any submission by the Privacy Commissioner to the applicant.
- 6.8 The Council must notify the complainant of the outcome of the review within **14 days** of its determination. A copy of the final review should also be provided to the Privacy Commissioner where it departs from the draft review.

What Happens After an Internal Review?

- 6.9 If the complainant remains unsatisfied, he/she may appeal to the Administrative Decisions Tribunal which hears the matter afresh and may impose its own decision and award damages for a breach of an Information Protection Principle or Health Privacy Principle.

Alternative to Internal Review

- 6.10 Complaints can be made directly to the Privacy Commissioner by using the contact information listed below.

Information and Privacy Commission
 Level 11, 1 Castlereagh Street
 SYDNEY NSW 2001

Email: ipcinfo@ipc.nsw.gov.au
Website: <http://www.ipc.nsw.gov.au>
Telephone: 1800 472 679

PART 7 OTHER RELEVANT MATTERS

Contracts with Consultants and Other Private Contractors

- 7.1 It is necessary to have specific provisions to protect the Council in any dealings with private contractors or consultants.

Confidentiality

- 7.2 All employees are bound by an obligation of confidentiality whether express or implied as a matter of law.

Misuse of Personal Information

- 7.3 Section 664 of the LGA makes it an offence for anyone to disclose information except in accordance with that section. Whether or not a particular disclosure is made with lawful excuse is a matter that requires legal opinion from case to case.

Regular Review of the Collection, Storage and Use of Personal Information

- 7.4 The information practices relating to the collection, storage and use of personal information will be thoroughly reviewed by the Governance Team every three (3) years.

Review of Privacy Management Plan

- 7.5 This Privacy Management Plan will be reviewed on an annual basis for compliance with any legislative changes or directions from the Privacy Commissioner.

Contact Details

Privacy Contact Officer
(Senior Governance Officer)

CAMDEN COUNCIL
PO Box 183
CAMDEN NSW 2570
Telephone: 02 4654 7777

Privacy Resource Officer
(Governance Officer)

Reviewing Officer
(Manager Corporate Services)

Information and Privacy Commission
Level 11, 1 Castlereagh Street
SYDNEY NSW 2001
Email: ipcinfo@ipc.nsw.gov.au
Website: <http://www.ipc.nsw.gov.au>
Telephone: 1800 472 679

Administrative Decisions Tribunal
Level 10, John Maddison Tower
80-90 Goulburn Street
SYDNEY NSW 2000
Telephone: 02 9377 5711

POLICY DETAILS:**Relevant Legislation:**

Privacy and Personal Information Protection Act 1998
Health Records and Information Privacy Act 2002
Privacy Code of Practice for Local Government
Government Information (Public Access) Act 2009
Local Government Act 1993
Environmental Planning and Assessment Act 1997
Protection of the Environment (Operations) Act 1997
Impounding Act 1993
Dividing Fences Act 1991

Relevant Policies:

Government Information (Public Access) Act 2009
Agency Information Guide
Code of Conduct
Social Media (to be adopted)
Internet and Email Access

Review Date: 1 August 2013

Next Review Date: 1 August 2014

ORD06

Attachment 1

PART 8 APPENDICES

Appendix 1

STATUTORY DECLARATION FOR ACCESS UNDER SECTION 57 OF THE PRIVACY AND PERSONAL INFORMATION PROTECTION ACT 1998 TO A PUBLIC REGISTER HELD BY COUNCIL

**STATUTORY DECLARATION
OATHS ACT, 1900, NINTH SCHEDULE**

I, the undersigned,(name of applicant)
of.....(address),
in the State of New South Wales, do solemnly and sincerely declare that:-

I am.....(relationship (if any) to person inquired about)

I seek to know whether is on the public register of*

The purpose for which I seek this information is

The purpose for which the information is required is to

And I make this solemn declaration conscientiously believing the same to be true and by virtue of the Oaths Act 1994.

Declared at.....

in the said State this day of
before me.

.....
before me:
Justice of the Peace/Solicitor

.....
Name to be printed

** Applicant to describe the relevant public register.*

Appendix 2

PRIVACY NOTIFICATION FORM – SECTION 10 (POST-COLLECTION)

(Addressed to the person from whom information has been collected.)

The personal information that Council has collected from you is for the purposes of the *Privacy and Personal Information Protection Act 1998*.

The intended recipients of the personal information are:

- officers within the Council;
- data service providers engaged by the Council from time to time;
- any other agent of the Council; and
- *(any other)*.

The supply of the information by you is /is not voluntary. If you cannot provide or do not wish to provide the information sought, the Council may

Council has collected this personal information from you in order to

You may make application for access or amendment to information held by Council.

You may also make a request that Council suppress your personal information from a public register. Council will consider any such application in accordance with the PPIPA.

Council* is to be regarded as the agency that holds the information.

Enquiries concerning this matter can be addressed to

Signed.....

Dated.....

*Please state who holds or controls the information if not Council

ORD06

Attachment 1

Appendix 3

PRIVACY NOTIFICATION FORM - SECTION 10 (PRE-COLLECTION)

(Addressed to the person from whom information is about to be collected or has been collected.)

The personal information that Council is collecting from you is personal information for the purposes of the *Privacy and Personal Information Protection Act 1998* ("the Act").

The intended recipients of the personal information are:

- officers within the Council;
- data service providers engaged by the Council from time to time;
- any other agent of the Council; and
- *(any other).*

The supply of the information by you is / is not voluntary. If you cannot provide or do not wish to provide the information sought, the Council may/will be unable to process your application.

Council is collecting this personal information from you in order to:

.....

You may make application for access or amendment to information held by Council.

You may also make a request that Council suppress your personal information from a public register. Council will consider any such application in accordance with the Act.

Council* is to be regarded as the agency that holds the information.

Enquiries concerning this matter can be addressed to

Signed.....

Dated.....

*Please state who holds or controls the information if not Council.

Appendix 4

APPLICATION UNDER SECTION 13 OF THE PRIVACY AND PERSONAL INFORMATION PROTECTION ACT 1998 –

TO DETERMINE WHETHER COUNCIL HOLDS PERSONAL INFORMATION ABOUT A PERSON

Personal information held by the Council

I,....., of (address)....., hereby request the General Manager/Privacy Contact Officer of Council provide the following :

Does the Council hold personal information about me? YES/NO

If so, what is the nature of that information?.....
.....
.....

What is the main purpose for holding the information?.....
.....
.....

Am I entitled to access the information? YES/NO

My address for response to this Application is:.....
.....
.....

Note to applicants

Should you provide your address or any other contact details the Council will not record those details for any other purpose other than to respond to your application.

As an applicant, you have a right of access to personal information concerning yourself that is held by the Council under section 14 of the Privacy and Personal Information Protection Act 1998 (“the Act”). There is a separate application form to gain access.

The Council may refuse to process this application in part or in whole if:

- there is an exemption to section 13 of the Act; or
- a Code may restrict the operation of section 14.

ORD06

Attachment 1

Appendix 5

APPLICATION UNDER SECTION 14 OF THE PRIVACY AND PERSONAL INFORMATION PROTECTION ACT 1998 – FOR ACCESS TO APPLICANT’S PERSONAL INFORMATION

Personal information held by Council

I, (name).....
of (address),
hereby request that the Council provide me with:
access to **all** personal information held concerning myself; or
access to the following personal information only.....

Note to applicants:

As an applicant, you have a right of access to your personal information held by the Council under section 14 of the *Privacy and Personal Information Protection Act 1998* ("the Act").

You are entitled to have access without unreasonable delay or unreasonable cost.

However, Council may refuse to process your Application in part or in whole if:

- the correct application fee has not been paid;
- there is an exemption to section 14 of the Act; or
- a Code of Practice may restrict disclosure.

Enquiries concerning this application should be made to

Appendix 6

APPLICATION UNDER SECTION 15 OF THE PRIVACY AND PERSONAL INFORMATION PROTECTION ACT 1998 – FOR ALTERATION OF APPLICANT’S PERSONAL INFORMATION

Personal Information held by Council

I, (name).....

of (address),

hereby request the Council to alter personal information regarding myself in the following manner :

I propose the following changes:

.....

The reasons for the changes are as follows

.....

The documentary base/s for those changes is as shown on the attached documents:

.....

Note to Applicants:

You have a right to request appropriate amendments are made (whether by way of corrections, deletions or additions) to ensure that the personal information held by the Council:

- (A) is accurate, and
- (B) having regard to the purpose for which the information was collected (or is to be used) and to any purpose that is directly related to that purpose, is relevant, up to date, complete and not misleading.

If your personal information is amended, you are entitled under the *Privacy and Personal Information Protection Act 1998* (“the Act”), if it is reasonably practicable, to the have recipients of that information notified of the amendments made by Council.

Council may refuse to process your application in part or in whole if:

- there is an exemption to section 15 of the Act; or
- a Code of Practice may restrict alteration.

Enquiries concerning this application should be made to

ORDINARY COUNCIL

ORD07

SUBJECT: 2012/13 BUDGET - EXPENDITURE REVOTES
FROM: Director Governance
TRIM #: 13/2527

PURPOSE OF REPORT

The purpose of this report is to seek Council's approval to revoke a list of specific projects that were incomplete or not commenced as at 30 June 2013.

2012/13 EXPENDITURE REVOTES

At the end of each financial year a review is undertaken to identify the status of specific projects with a view to having funds carried forward in order to complete the works. Most of the projects had been committed but not yet commenced as at 30 June 2013.

As at 31 March 2013 Council had approved \$9,421,076 in revoted works. The total amount of additional works identified as revotes for the June quarter is \$4,226,844 resulting in a total expenditure revotes program of \$13,647,920 overall.

The following table shows a comparison of the combined September, December and March Review revoke estimates to the actual year-end revoke required. The middle column highlights the additional revotes requiring Council's authorisation:

EXPENDITURE REVOTES (SOURCE OF FUNDS)	Revotes Approved to March 2013	Additional Revotes Requiring Approval	Actual Year-end Revoke Required
Section 94 Contributions	\$7,009,245	\$835,220	\$7,844,465
External Grant Funding	\$634,902	\$106,433	\$741,335
Internal Reserves	\$945,325	\$1,378,093	\$2,323,418
Waste Management	\$47,006	\$38,612	\$85,618
General Revenue (i.e. Council Funds)	\$627,098	\$774,409	\$1,401,507
DOP Loan (Lodges Road)	\$0	\$271,367	\$271,367
Other Sources	\$157,500	\$822,710	\$980,210
TOTAL EXPENDITURE REVOTES	\$9,421,076	\$4,226,844	\$13,647,920

For a detailed listing of all proposed revotes requiring Council's approval, **please refer to the attachment at the end of this report.**

It should be noted that the construction of the Camden Bypass Intersection and Elderslie / Spring Farm Link Roads account for \$4,242,121 (31%) of the total \$13,647,920 revoke.

It should also be noted that \$1,401,507 of this year's revoke program relates to items funded from general fund. Whilst the final budget result for 2012/13 is yet to be formally presented to Council, a preliminary review of expenditure and income, and all restricted cash reserves indicates sufficient monies are available to fund the general fund portion of the expenditure revotes program.

Councillor Priority Capital Works

In adopting the 2012/13 budget, Council adopted a Councillor Priority Capital Works Program totalling \$1,514,000. These projects were identified by Councillors as part of the budget process and were essentially funded from the available budget surplus for 2012/13. As at 30 June 2013, \$562,698 had been spent on the program, leaving a remaining balance of \$951,302.

A number of projects have been identified to be carried forward as revotes into the 2013/14 budget. A list of these projects is provided below:

Incomplete Projects	Original Estimate	Actual Spent	Funds Remain.
Little Sandy Bridge Replacement	\$250,000	\$0	\$250,000
Cut Hill Reserve Public Amenities	\$235,000	\$20,117	\$214,883
Design & Survey – Capital Works Projects	\$250,000	\$41,218	\$208,782
Kirkham Netball Court Pavement Rehabilitation	\$300,000	\$136,411	\$163,589
Lake Annan GPT Installation	\$50,000	\$0	\$50,000
Camden Town Centre Traffic Studies	\$90,000	\$51,128	\$38,872
BEP Camping Power Outlets	\$14,000	\$0	\$14,000
Mount Annan Cottage Termite Damage Repair	\$20,000	\$8,824	\$11,176
Total – Priority Capital Works Revotes			\$951,302

Community Infrastructure Renewal Program

The Community Infrastructure Renewal Program was introduced in 2010/11 as part of an approved application to the Minister for Local Government for a rate increase of 4.50%. The Minister approved the rate increase for a period of three years. The 2012/13 financial year is the third and final year of this program.

The total expenditure program for the final year of the Community Infrastructure Renewal Program was \$1,827,372. As at 30 June 2013, \$1,706,380 of the identified works program had been completed. A list of the projects not completed as at 30 June 2013 is included below:

Incomplete Projects	Original Estimate	Actual Spent	Funds Remain.
Civic Centre Air-conditioning Replacement	\$110,000	\$68,606	\$41,394
Parks Renewal (Macarthur Park Works)	\$30,000	\$0	\$30,000
Parks Renewal (Onslow Oval Fencing)	\$23,400	\$3,269	\$20,131
Buildings Renewal (MALC)	\$40,902	\$30,013	\$10,889
Total – CIRP Revotes			\$102,414
Savings from Works Completed in 2012/13			\$18,578
Total - Transfer to CIRP Reserve			\$120,992

Council will be required to restrict the remaining balance of \$120,992 so that the projects can be completed in accordance with the conditions of the Community Infrastructure Renewal Program. An additional project/s will also need to be identified in order to commit the saving of \$18,578; this could be done as part of a quarterly budget review or the 2014/15 budget process.

Stormwater Management Works Program

The purpose of the Stormwater Management Program is to educate and promote awareness of stormwater pollution in the community, ensure a better flow of stormwater through the LGA and to improve the quality of water flowing into our streams and rivers.

The total allocation towards stormwater management expenditure for 2012/13 was \$1,200,319. As at 30 June 2013, \$665,592 had been spent, leaving a remaining balance of \$534,727. Of this balance \$409,954 has been identified as revotes the balance of \$124,773 is savings, and as a result should be transferred back to the reserve for future allocation to stormwater management projects.

A list of the program revotes is provided below:

Incomplete Projects	Original Estimate	Actual Spent	Funds Remain.
Lake Annan GPT Installation	\$200,000	\$0	\$200,000
Stormwater GPT Maintenance & Cleaning	\$215,100	\$150,000	\$65,100
Camden Drainage Evaluation	\$50,000	\$0	\$50,000
Camden Memorial Pool Redevelopment	\$46,595	\$11,830	\$34,765
Narellan Creek Flood Study	\$25,500	\$0	\$25,500
Narellan Drainage Channel Improvements	\$20,000	\$0	\$20,000
Stormwater Asset Mgmt Planning	\$10,000	\$2,660	\$7,340
Stormwater Outlet Controls (Design)	\$32,920	\$29,070	\$3,850
Lake Annan Rehabilitation Planning	\$18,320	\$14,921	\$3,399
Total – Stormwater Management Revotes			\$409,954
Savings - Unspent Programs in 2012/13			\$124,773
Total - Transfer to Stormwater Reserve			\$534,727

Savings which are a result of unspent programs total \$124,773. The savings relate to a combination of allocations funded from the Stormwater Management Levy (\$95,674) and allocations funded from General Revenue Stormwater Funds (\$29,099).

In accordance with the funding principles of the stormwater management levy, Council is required to maintain its level of commitment towards stormwater related expenditure from General Fund. Where expenditure is below budget expectations, it is necessary to restrict the unspent allocation from both the levy and general fund for the purpose of future stormwater related works.

It is important to note that Council currently has an existing balance of uncommitted funds within the Stormwater Works Reserve of \$90,744 (relating to unspent works from 2011/12). The unspent allocations from 2012/13 will increase this balance to \$215,517. The expected balance of the Stormwater Reserve as at 30 June 2013 is shown in the table below:

Purpose	Value
2013/14 Expenditure Revotes (Committed)	\$409,954
Lake Annan Rehabilitation (Provision)	\$360,205
Unspent Allocations (Not Committed)	\$215,517
Total – Stormwater Reserve Balance	\$985,676

Councillor Ward Funds

The remaining balance of Councillor Ward Funds is \$11,717. Council may elect to revoke these funds into the 2013/14 budget. If Council does choose to carry forward these funds, then the balance available to Councillors in the 2013/14 budget would be \$41,717.

Information Technology Revotes

The revote of \$71,300 for IT Systems and Upgrades is a combination of operational savings within the Information Technology budget. Although the revote does not strictly comply with Council's revotes policy (being operational in nature), it was thought prudent to revoke this amount to further support Council's program of upgrading Corporate IT systems. The upgrading of Council's corporate mapping system is a priority within the next twelve (12) months.

FINANCIAL IMPLICATIONS

The 2013/14 Operational Plan will be updated to include additional expenditure of \$13,647,920. This will not impact the 2013/14 budget result, which is currently a balanced budget.

In addition to updating the 2013/14 budget, Council will be required to transfer the general fund portion of the proposed expenditure revotes program of \$1,401,507 to the Expenditure Revotes Reserve as part of the 2012/13 Year End Result.

CONCLUSION

Council is required to approve the list of expenditure revotes to be carried forward into the 2013/14 Budget. If approved by Council, the general fund portion will be transferred to the Expenditure Revotes Reserve in accordance with Council's Expenditure Revotes Policy.

RECOMMENDED

That Council:

- i. adopt the list of projects requiring revoke as identified within the attachment at the end of this report and approve the inclusion of these projects in the 2013/14 Budget;**
- ii. approve the transfer of \$1,401,507 to the expenditure revotes reserve, representing the General Fund portion of the revotes program;**
- iii. approve the transfer of \$18,578 to the Community Infrastructure Renewal Reserve, representing the unspent allocation from 2012/13;**
- iv. approve the transfer of \$124,773 to the Stormwater Management Reserve, representing the unspent allocation from 2012/13; and**
- v. consider the revoke of \$11,717 representing the remaining balance of Councillor Ward Funds from the 2012/13 financial year.**

ATTACHMENTS

1. Expenditure Revotes Listing

EXPENDITURE REVOTES CARRIED FORWARD FROM THE 2012/13 BUDGET

Item No.	Description	R/W	Council Approval				Total Budget	Source of Funding				Expected Completion	Comments
			September	December	March	June		Waste Mgmt	Revenue	DBP Loan	Other Income		
1	Executive Management - Corporate Support Projects Allocation	R	\$0	\$0	\$0	\$49,659	\$49,659	\$0	\$0	\$0	\$0	Jun-14	The purpose of this allocation is for the engagement of specialist advice for specific projects which are at the allocation of the Council Manager. The budget allocation for 2012/13 was originally \$82,000, of which there is a remaining balance of \$49,659 available for revotes into 2013/14.
2	Council's Program - Consolidated Works Fund	R	\$0	\$0	\$0	\$11,717	\$11,717	\$0	\$0	\$0	\$0	Jun-14	The remaining balance of Council's Work Funds is \$11,717. Council may elect to re-use these funds into the 2013/14 budget. If Council does choose to carry forward these funds, the balance available to Councils in the 2013/14 budget would be \$11,717.
	Sub Total - Executive Leadership Group		\$0	\$0	\$0	\$61,376	\$61,376	\$0	\$0	\$0	\$0		
3	Information Technology - Systems Upgrades and Improvements	R	\$0	\$0	\$0	\$71,300	\$71,300	\$0	\$0	\$0	\$0	Jun-14	Funds are required to complete a number of system upgrades and implementations which will be completed during 2013/14.
4	Information Technology - TRIM (Document Management Software) Implementation	R	\$0	\$0	\$0	\$41,000	\$41,000	\$0	\$0	\$0	\$0	Aug-13	The balance of funds allocated to the TRIM implementation are required to be revoated for the payment of supplier invoices outstanding from the project implementation.
5	Information Technology - Website Upgrade	R	\$0	\$0	\$0	\$42,000	\$42,000	\$0	\$0	\$0	\$0	Oct-13	Funds are required to complete the upgrade of Council's public website. The upgrade will be completed during 2013/14.
6	Information Technology - LTPP Software	R	\$0	\$0	\$0	\$25,000	\$25,000	\$0	\$0	\$0	\$0	Oct-13	There have been delays in the implementation of the LTPP software as a result of the implementation of BIS (Budget Software). Implementation will be completed during 2013/14.
7	Road Improvement - Springs Road Land Purchase	R	\$0	\$0	\$0	\$40,096	\$40,096	\$0	\$0	\$0	\$0	Sep-13	Funds are required for the acquisition of land for the roadabout which forms part of the upgrade of Springs Road, Springs Farm.
8	Information Technology - ITD Annual Licensing	R	\$0	\$0	\$0	\$11,700	\$11,700	\$0	\$0	\$0	\$0	Jul-13	Funds are required for the SPYDUS Managed Services Budget n. 2013/14.
9	Information Technology - Intranet Stage 2	R	\$0	\$0	\$0	\$10,000	\$10,000	\$0	\$0	\$0	\$0	Jun-14	Funds are required to complete the upgrade of Council's Intranet (Internal Website). There have been delays with this project as a result of the implementation of TRIM and CRM.
10	Information Technology - Library Envision Ware	R	\$0	\$0	\$0	\$9,000	\$9,000	\$0	\$0	\$0	\$0	Sep-13	The balance of funds allocated to the installation of the Envision Ware are required to be revoated for the payment of supplier invoices outstanding from the installation.
11	Information Technology - BIS (Budget Software) Implementation	R	\$0	\$0	\$0	\$4,400	\$4,400	\$0	\$0	\$0	\$0	Aug-13	The balance of funds allocated to the BIS implementation are required to be revoated for the payment of supplier invoices outstanding from the project implementation.
	Sub Total - Corporate Services		\$0	\$0	\$0	\$237,096	\$237,096	\$0	\$0	\$0	\$0		
12	Horticulture Training - Parks & Garden Staff	R	\$0	\$0	\$0	\$7,881	\$7,881	\$0	\$0	\$0	\$0	Nov-13	Funds are required to be revoated due to the timing of grant funding and the commencement of the training program by Council's parks section.
13	Consolidated Works Funds - Light-Up Camden Event Sponsorship	R	\$0	\$0	\$0	\$5,000	\$5,000	\$0	\$0	\$0	\$0	Nov-13	Sponsorship of this event was approved by Council on the 25 June 2013 (Ord 130/13). The funding is required to be revoated into the 2013/14 financial year as the event will be held in December.
	Sub Total - Employee & Community Relations		\$0	\$0	\$0	\$12,881	\$12,881	\$0	\$0	\$0	\$0		

Executive Work - Council Finance for the 2013/13 Budget

ORD07

Attachment 1

EXPENDITURE REVOTES CARRIED FORWARD FROM THE 2012/13 BUDGET

Item No.	Description	M/W	Council Approved				Promised June	Total Revote	Sector BA	Grant Cont.	Revenue Cont.	Source of Funding			Total	Expected Completion	Comments
			September	December	March	June						Waste Mgmt.	General Revenue	DDP Loan			
14	Strategic Planning - Catherine Field Reasoning Studies	N	\$0	\$0	\$0	\$350,945	\$350,945	\$0	\$0	\$0	\$0	\$0	\$250,945	\$250,945	Jun-14	Council has secured funding from the Department of Planning to assist in the review and preparation of a number of rezoning studies relating to the Catherine Field Park Project and release. These studies will continue throughout 2013/14.	
15	Strategic Planning - Urbanization Reasoning Studies	N	\$0	\$0	\$0	\$160,700	\$160,700	\$0	\$0	\$0	\$0	\$0	\$160,700	\$160,700	Jun-14	Council has secured funding from the Department of Planning to assist in the review and preparation of a number of rezoning studies relating to the Appleton Precinct land release. These studies will continue throughout 2013/14.	
16	Corporate Planning - Service Level Review	N	\$0	\$0	\$12,000	\$0	\$12,000	\$0	\$0	\$12,000	\$0	\$0	\$0	\$12,000	Jun-14	There have been delays in completing the service level reviews due to staff vacancies. The review will be completed during 2013/14.	
17	Strategic Planning - Infrastructure Studies	R	\$0	\$0	\$0	\$11,188	\$11,188	\$0	\$0	\$0	\$0	\$11,188	\$0	\$11,188	Jun-13	Funds are required for the payment of consultancy work performed late in 2013 for regional mapping and VPA clauses. There were delays in the completion of the work due to other commitments of the consultants.	
Sub Total - Strategic Planning			\$0	\$0	\$12,000	\$422,833	\$434,833	\$0	\$0	\$12,000	\$0	\$11,188	\$0	\$411,645	\$446,833		There have been delays in completing the review of Council's operational services with Officers determining the scope of the project and assigned suitable responsibility to undertake the review. This review will be completed during the 2013/14 financial year.
18	Domestic Waste Management - Greenwaste Review	N	\$0	\$0	\$47,006	\$0	\$47,006	\$0	\$0	\$0	\$0	\$47,006	\$0	\$47,006	Jun-14	There have been delays in completing the review of Council's operational services with Officers determining the scope of the project and assigned suitable responsibility to undertake the review. This review will be completed during the 2013/14 financial year.	
19	Domestic Waste Management - Fleet Management Software	N	\$0	\$0	\$0	\$21,726	\$21,726	\$0	\$0	\$0	\$0	\$21,726	\$0	\$21,726	Jun-14	The rollout of the fleet management software throughout the waste fleet has commenced and has been implemented in more than 50% of trucks to date. There has been some delays with the hardware and software implementation, and the remainder of the fleet will be completed during 2013/14.	
20	Domestic Waste Management - Waste Add Bulk Storage Facility	N	\$0	\$0	\$0	\$16,886	\$16,886	\$0	\$0	\$0	\$0	\$16,886	\$0	\$16,886	Sep-13	The add bulk storage facility is required for the new waste trucks purchased during 2012/13. Whilst the storage facility has been purchased, there have been delays in its installation as the works item installation will take place during the first quarter of 2013/14.	
21	Regulatory Compliance - Integrated Litter & Dumping Plan	N	\$0	\$0	\$0	\$6,490	\$6,490	\$0	\$6,490	\$0	\$0	\$0	\$0	\$6,490	Jun-14	Funds required for committed costs against the project. The project is funded by W&SP Grants (State Government) Income.	
22	Animal Control - Microchipping Activities	N	\$0	\$0	\$11,595	(511,596)	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	N/A	Funds have been fully spent in 2012/13, therefore the revote is no longer required.	
Sub Total - Environment & Health			\$0	\$0	\$59,004	\$33,104	\$52,108	\$0	\$6,490	\$0	\$0	\$0	\$0	\$0	\$52,108		The requirements of the stage curtains at the Civic Centre is part of the recently approved Community Buildings Partnership Grant Program. This allocation represents Council's matched funds which are required to be received by 2013/14.
23	Civic Centre - Curtain Replacement	N	\$0	\$0	\$0	\$24,142	\$24,142	\$0	\$0	\$0	\$0	\$24,142	\$0	\$24,142	Jul-13	Funds required to be received for the replacement of the stage curtains at the Civic Centre. These have been carried forward as difficult to fund along the collection deficit will be received during the first quarter of 2013/14. Funding has been provided by the NSW State Library (State Government) Grant Income.	
24	Library Services - Collections	R	\$0	\$0	\$0	\$15,675	\$15,675	\$0	\$15,675	\$0	\$0	\$0	\$0	\$15,675	Oct-13	There were no further works to be completed during 2012/13 from the Library Action Plan. The unspent balance of the program will be carried forward to 2013/14 to address works identified in the updated Disability Action Plan.	
25	Community Services - Disability Action Plan	R	\$0	\$0	\$10,000	\$0	\$10,000	\$0	\$0	\$0	\$0	\$10,000	\$0	\$10,000	Jun-14		

EXPENDITURE REVOTES CARRIED FORWARD FROM THE 2012/13 BUDGET

Item No.	Description	I / N	Council/Annual					Promoted June	Total Revenue	Sector BA	Grant Cont.	Revenue Cont.	Waste Mgmt	General Revenue	DAP Loan	Other Items	Total	Expected Completion	Comments
			September	December	March	June	September												
26	Utility Services - Resource Collection	R	50	50	50	57,840	57,840	50	50	50	50	50	57,840	50	50	50	57,840	Aug-13	Funds are required for purchases which were committed during the fourth quarter of 2012/13, but not received due to delays in delivery. The purchases relate to library resources including books, DVD's, CD's and subscriptions. The balance of funds are required to be received for the payment of supplier invoices.
	Sub Total - Community Services		50	50	50	546,657	556,657	50	515,075	50	50	50	540,992	50	50	50	556,657		
27	Road Improvements - Camden Bypass Intersection	N	50	50	\$1,429,600	50	\$3,429,600	50	50	50	50	50	20	50	50	50	\$3,429,600	Jun-14	In 2012, Council entered into a funding agreement for the construction of the Camden Bypass Intersection and Stage 1 of the Camden Bypass. Council's contribution towards the construction of the intersection is \$4.8 million. Due to the timing of the bypass construction, Council's remaining contribution of \$3.4 million will not be required until 2013/14.
28	Design & Survey - Capital Works Design Allocation	N	50	50	50	\$208,792	\$208,792	50	50	50	50	50	\$208,792	50	50	50	\$208,792	Jun-14	Funds required to be received to complete the design of projects which have been identified but not yet started.
29	Road Improvements - John St / Mitchell St Roundabout Design	N	50	50	\$145,224	50	\$145,224	50	50	\$145,224	50	50	50	50	50	50	\$145,224	Jul-14	Council is currently preparing a traffic study for the Camden Town Centre. The design of the proposed roundabout has been obtained until the results of the traffic study are finalised. Imposed to be completed by September 2013.
30	Design & Survey - Hebean West Flood Mapping	N	50	50	50	\$126,693	\$126,693	50	50	50	50	50	50	50	50	50	\$126,693	Jun-14	Council accepted grant funding in October 2012 under the Floodplain Risk Management Grants Scheme. The balance of funds are required to be received to complete the works outlined within the grant funding agreement.
31	Design & Survey - Hardian Creek Flood Study	N	50	50	50	\$109,177	\$109,177	50	50	\$109,177	50	50	50	50	50	50	\$109,177	Oct-13	Council accepted grant funding in October 2012 under the Floodplain Risk Management Grants Scheme. The balance of funds are required to be received to complete the works outlined within the grant funding agreement.
32	Design & Survey - Upper Smith Creek Flood Study	N	50	50	50	\$75,559	\$75,559	50	50	\$75,559	50	50	50	50	50	50	\$75,559	Apr-14	Council accepted grant funding in October 2012 under the Floodplain Risk Management Grants Scheme. The balance of funds are required to be received to complete the works outlined within the grant funding agreement.
33	Natural Resources - Wood Smoke Reduction Program	N	50	50	50	\$54,703	\$54,703	50	50	50	50	50	50	50	50	50	\$54,703	Dec-13	Council accepted grant funding in April 2013 under the Woodsmoke Reduction Funding Program. The balance of funds are required to be received to complete the works outlined within the grant funding agreement.
34	Park Improvements - Hepburn River Trail Project	N	50	50	50	\$50,461	\$50,461	50	50	50	50	50	\$10,000	50	50	50	\$50,461	Jul-14	There have been delays in finalising this project as works cannot commence until a decision is made regarding the Smithy Bridge. The final section of work under the program involves constructing steps in the proposed area on the trail. If the steps are constructed prior to the completion of the bridge, there are a risk of being severely damaged.
35	Design & Survey - Camden Drainage Evaluation	N	50	50	50	\$50,000	\$50,000	50	50	50	50	50	50	50	50	50	\$50,000	Dec-13	Funds are required to be received for advanced design works to evaluate the existing drainage infrastructure in the Camden Town Centre. The project has commenced and will be completed during 2013/14.
36	Design & Survey - Town Entry Sign	N	50	50	50	\$40,000	\$40,000	50	50	50	50	50	50	50	50	50	\$40,000	Jun-14	Designs have been prepared for the entry signage and are currently being reviewed by Council. Funds are required for sign construction costs.

Submitted for Council Consideration for the 2013/14 Budget

ORD07

Attachment 1

EXPENDITURE REVOTES CARRIED FORWARD FROM THE 2012/13 BUDGET

Item No.	Description	M/W	Council Approved				Promised June	Total Revote	Sector Bal.	Grant Com.	Revenue Cmt.	Waste Mgmt.	Source of Funding			Total	Expected Completion	Comments
			September	December	March	June							General Revenue	DDP Loan	Other Income			
37	Public Cemetery - Columbarium & Rose Garden Construction	N	\$0	\$0	\$0	\$40,000	\$40,000	\$0	\$0	\$40,000	\$0	\$0	\$0	\$0	\$0	\$0	\$40,000	Works are required for the construction of a new columbarium at the Camden Cemetery. There have been delays in the approval process as the cemetery is located on townland and requires approval by the Department of Lands.
38	Traffic Facilities - Green Valley Way Shared Path	N	\$0	\$0	\$0	\$39,898	\$39,898	\$0	\$19,649	\$19,649	\$0	\$0	\$0	\$0	\$0	\$0	\$39,898	Funds are required to complete the balance of works remaining. Delay was primarily a result of wet weather. This project is funded by the RDS Cycleway Program (State Government) Grant Income.
39	Traffic Facilities - Green Town Centre Traffic Squares	N	\$0	\$0	\$0	\$38,872	\$38,872	\$0	\$38,872	\$38,872	\$0	\$0	\$0	\$0	\$0	\$0	\$38,872	Funds are required to complete the balance of works remaining. There have been delays in completing the project due to the availability not fulfilling all criteria of the brief.
40	Design & Survey - Street Lighting Installations	R	\$0	\$0	\$0	\$38,337	\$38,337	\$0	\$0	\$38,337	\$0	\$0	\$0	\$0	\$0	\$0	\$38,337	Funds required for planned pedestrian crossing lighting improvements. There have been delays resulting from ongoing negotiations with Endavour Energy. Funding has previously been received from prior financial years in order to accumulate sufficient funding for the identified projects to be completed.
41	Traffic Facilities - Monaghan Road Footpath Facilities	N	\$0	\$0	\$0	\$10,332	\$10,332	\$0	\$5,265	\$5,265	\$0	\$0	\$0	\$0	\$0	\$0	\$10,332	Funds are required to complete the balance of works remaining. Delays were primarily a result of wet weather. This project is funded by the RDS Pedestrian Facilities Program (State Government) Grant Income.
42	Design & Survey - Agency Staff	N	\$0	\$0	\$0	\$10,212	\$10,212	\$0	\$0	\$10,212	\$0	\$0	\$0	\$0	\$0	\$0	\$10,212	Funds required to meet additional staffing requirements to complete and finalise a number of design projects which were not completed by June 2013.
43	Public Tree Maintenance - Street Tree Planting Program	R	\$0	\$0	\$0	\$10,000	\$10,000	\$0	\$0	\$0	\$10,000	\$0	\$0	\$0	\$0	\$0	\$10,000	Council recently approved the renewal and replacement of fifteen White Poplar trees from within the median of Heuston Circle - Harrington Park with the same or similar. Due to the need to poison the trees prior to removal, the majority of the work will be completed in 2013/14.
44	Natural Resources - Renewable Energy Officers Program	N	\$0	\$0	\$9,992	\$0	\$9,992	\$0	\$9,992	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$9,992	Council has recently completed the installation of solar panels at the Naurlin House. The urgent balance of the project is to be carried forward and consolidated with the 2013/14 Waste (State Government) Grant Income.
45	Natural Resources - Street Lighting Energy Efficiency Bulk Changeover	N	\$0	\$0	\$0	\$7,900	\$7,900	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$7,900	Council officers are currently working with Endavour Energy to finalise this project. Funds are required to engage specialist contractors to complete the works during the first quarter of 2013/14.
46	Stormwater Management - Stormwater Detents Centres	N	\$0	\$0	\$0	\$3,850	\$3,850	\$0	\$0	\$3,850	\$0	\$0	\$0	\$0	\$0	\$0	\$3,850	Funds required to undertake balance of works remaining. This project is funded by the Stormwater Management Levy.
47	Stormwater Management - Law Assn Relocation Planning	N	\$0	\$0	\$0	\$3,399	\$3,399	\$0	\$0	\$3,399	\$0	\$0	\$0	\$0	\$0	\$0	\$3,399	Funds required to undertake balance of works remaining. This project is funded by the Stormwater Management Levy.
48	Natural Resources - Biodiversity Strategy Preparation	N	\$0	\$0	\$0	\$2,940	\$2,940	\$0	\$2,940	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$2,940	The W4529 program for 2012 to 2014 incorporates a biodiversity strategy. The remaining balance of funds are to be consolidated with the additional funding received and the strategy continued into 2013/14.
49	Road Safety - Cycling in Camden	N	\$0	\$0	\$0	\$500	\$500	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$500	Funds are required for equipment relating to promoting cycling throughout the Camden UGA. The funding has subsequently been spent during July 2013.

EXPENDITURE REVOTES CARRIED FORWARD FROM THE 2012/13 BUDGET

Item No.	Description	I/N	Council/Annual				Promised June	Total Revote	Sector BA	Grant Cont.	Revenue Cont.	Waste Mgmt	General Revenue	DAB Loan	Other Items	Total	Expected Completion	Comments
			September	December	March	June												
50	Natural Resources - Sustainability Training	N	50	50	50	3,344	3,344	50	3,344	50	50	50	50	50	3,344	Jun-14	The WASIP program for 2012 to 2014 incorporates a sustainability program for staff. The remaining balance of funds are to be consolidated with the additional funding received and the program continued into 2013/14.	
	Sub Total - Environmentally Sustainable Design		50	50	\$3,695,187	\$872,018	\$4,567,205	\$3,429,600	\$270,338	\$548,790	50	\$2,40,482	50	50	\$4,507,205		There have been delays in the purchase of a number of plant items identified for replacement in 2012/13. These items are expected to be replaced during the first half of 2013/14.	
51	Plant Replacement Program - Infrastructure Works Plant	N	50	50	50	5747,500	5747,500	50	5747,500	50	50	50	50	50	5747,500	Dec-13	Council has been unable to secure a suitable specialised truck (with in-cab seating) required for the purchase of the plant items and cleaning work. Additional funding of \$145,000 was approved as part of the 2013/14 budget. The purchase of the trucks will proceed in 2013/14.	
52	Traditional Plant Requirement - Drainage Truck	N	50	50	50	1,887,800	1,887,800	50	1,887,800	50	50	50	50	50	1,887,800	Jun-14	The deterioration in the condition of Greenvale Road has prompted a major program to be implemented in the immediate future. This work is estimated to cost \$1.5 million and is to be shared between Council and Waterford Council. The project is scheduled to take place in 2013/14 and accordingly the current year's allocation is required to be revised to 2013/14.	
53	Road Improvements - Greenvale Road Upgrade (47%)	N	50	50	50	3,375,000	3,375,000	50	3,375,000	50	50	50	50	50	3,375,000	Jun-14	There have been delays in the purchase of a number of plant items identified for replacement in 2012/13. These items are expected to be replaced during the first half of 2013/14.	
54	Plant Replacement Program - Pumps Maintenance Plant	N	50	50	50	5237,000	5237,000	50	5237,000	50	50	50	50	50	5237,000	Dec-13	The project has been delayed due to time required for conducting investigation on an acceptable system and structure to meet requirements and the existing management plan is in place.	
55	Stormwater Systems - Able Annan GPT Installation	N	50	50	50	3,100,000	3,100,000	50	3,100,000	50	50	50	50	50	3,100,000	Jun-14	A detailed review of Council's plant requirements has not to date in placing orders for about two replacement vehicles. The survey van will be replaced upon the establishment of the new survey team in 2013/14 and the community bus will be replaced after community consultation has been completed.	
56	Plant Replacement Program - Community Bus & Survey Van	N	50	50	50	1,190,000	1,190,000	50	1,190,000	50	50	50	50	50	1,190,000	Jun-14	Council has a reactive maintenance and cleaning program for grass, pollution traps which form part of the plant replacement program. This work is scheduled to take place within this year's cleaning and maintenance program.	
57	Stormwater Systems - SPT Maintenance & Cleaning	R	50	50	50	565,100	565,100	50	565,100	50	50	50	50	50	565,100	Jun-14	There have been delays in replacing the air conditioning at the Civic Centre due to the number of large events held in the first half of 2013. The work has now commenced and will be completed during July 2013.	
58	Community Infrastructure Renewal Program - Civic Centre Air Conditioning	N	50	50	50	541,394	541,394	50	541,394	50	50	50	50	50	541,394	Jun-13	This project has been delayed due to time required for completing the detailed investigations into the requirements of Council's environmental compliance at the Narellan works depot.	
59	Building Services - Works Depot Environmental Improvements	N	50	50	50	535,000	535,000	50	535,000	50	50	50	50	50	535,000	Jun-14	Council recently approved the revote of funding from the 2012/13 parks maintenance budget for works required at Reveale Reserve, Narellan. These works will be scheduled and completed during the 2013/14 financial year.	
60	Plant Replacement - Reveale Reserve Refurbishment	N	50	50	50	573,350	573,350	50	573,350	50	50	50	50	50	573,350	Jun-14		

Submitted for Review - Council Forward for the 2013/13 Budget

ORD07

Attachment 1

EXPENDITURE REVOTES CARRIED FORWARD FROM THE 2012/13 BUDGET

Item No.	Description	A/N	Source of Funding												Expected Completion	Comments				
			Approved	March	April	May	June	July	August	September	October	November	December	Total						
61	Community Infrastructure Renewal Program - Park Equipment Renewal	N	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$10,131	Funds are required to park and the replacement of the main area benches at Ormsay Oval. The allocation is funded through the Community Infrastructure Renewal Program.	
62	Building Services - MASC Asset Renewal and Major Repairs	N	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$16,733	There have been delays in completing repairs works at the Mount Aitken Leisure Centre due to difficulties in obtaining competitive quotations. Quotations have now been obtained and works are expected to be completed during the first quarter of 2013/14.	
63	Building Services - Narellan Library Operable Wall Replacement	N	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$13,357	There have been delays in installing the wall divider due to the availability of the supplier, and the required 3 day closure of the facility rooms. The works are expected to be completed during the first quarter of 2013/14.	
64	Building Services - Mount Aitken College Terrace Repairs	N	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$11,176	Funding is required to complete the balance of works at the Mount Aitken College. The terrace has been repaved and work is now progressing. The work is expected to be completed during the first quarter of 2013/14.	
65	Community Infrastructure Renewal Program - Cyclist Asset Replacement	N	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$10,889	These works relate to the gas heater at the Mount Aitken Leisure Centre. There have been delays in completing the works as the replacement parts are made to order. This allocation is funded through the Community Infrastructure Renewal Program.	
66	Road Improvements - Richardson Road Stabilisation	N	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$10,033	Funds required to undertake balance of works remaining. This allocation is funded through the Community Infrastructure Renewal Program.	
67	Bridge Maintenance - Constriction Bridge Rehabilitation	N	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$7,741	Funds are required to complete balance of works remaining. Delays in completing the project are due to the unavailability of suitable contractors.	
68	Stormwater Systems - Asset Renovation	N	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$7,340	Funds are required to be received for the ongoing capture and recording of drainage infrastructure and its condition. The allocation is funded by the Stormwater Management Levy.	
69	Building Services - Sub-Mentelley Narellan Library	N	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$5,000	There has been delay in completing this project due to difficulties in obtaining appropriate quotations. The works are expected to be completed during 2013/14.	
Sub Total - Asset Management			\$0	\$100,000	\$1,125,200	\$1,279,304	\$1,631,328	\$2,504,544	\$275,000	\$1,631,328	\$0	\$333,500	\$2,504,544	\$0	\$0	\$0	\$0	\$0		
70	Roads Improvements - Springs Road Urban Upgrade	N	\$0	\$1,399,262	\$0	\$567,803	\$1,762,065	\$1,762,065	\$1,762,065	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$1,762,065	Works have been delivered due to the proposed relocation of the local primary school. This issue has been resolved and the design for the urban upgrade has been finalised. The urban upgrade at the western end and the roundabout at the eastern end will be completed in 2013/14.
71	Community Facilities - Narellan Family & Childrens Centre	N	\$0	\$673,123	\$950,000	(\$65,418)	\$827,205	\$827,205	\$827,205	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$827,205	There were originally delays in the commencement of this project associated with the design, approval process and selection and awarding of the construction tender. Works have now substantially commenced and will be completed in 2013/14.
72	Road Improvements - Eberle Link Road Reconstruction	N	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$812,521	The road pavement construction for the Eberle Link Road has been completed. The remaining works, including street lighting and streetcapping are to be completed in 2013/14 financial year, prior to the bypass reconstruction completion.

EXPENDITURE REVOTES CARRIED FORWARD FROM THE 2012/13 BUDGET

Item No.	Description	I/N	Council Approval				Promoted June	Total Revote	Sector BA	Grant Cont.	Revenue Cont.	Waste Mgmt	General Revenue	DfP Loan	Other Income	Total	Expected Completion	Comments
			September	December	March	June												
73	Mount Airian Leisure Centre - Stage 2 Design	N	\$522,240	\$100,000	\$40,000	(\$312,200)	\$550,000	\$550,000	\$0	\$0	\$0	\$0	\$0	\$0	\$550,000	Jun-14	Works have been deferred due to delays associated with finalisation of Stage 2 concept design and until a review of Probate Court requirements has been completed. The review is primarily a result of the proposed indoor courts to be located at Gregory Hills, which may result in a change to the original concept plans for the stage two developments of Mount Airian Leisure Centre.	
74	Park Improvements - Ron Dine Reserve Clubhouse	N	\$0	\$0	\$200,000	(\$193,044)	\$306,956	\$240,000	\$56,956	\$0	\$0	\$0	\$0	\$0	\$406,956	Dec-13	There have been delays in the construction of the new clubhouse at Ron Dine Reserve due to wet weather and changes in the design of the facility. Building work has now been completed. The remaining funds will be required to complete external works such as services and landscaping. This work will be completed during the first half of the 2013/14 financial year.	
75	Bridge Replacement - Little Sandy Bridge	N	\$0	\$0	\$250,000	\$20,986	\$270,986	\$0	\$0	\$0	\$0	\$0	\$0	\$20,986	\$270,986	TBA	As a result of floods in March 2012, Little Sandy Bridge (designated) suffered significant structural damage. Council had \$330,000 allocated in the 2012/13 budget for the replacement of Little Sandy Bridge. The current level of funding is sufficient. It is necessary to re-use the unspent balance of the current allocation in 2013/14. Council officers are currently investigating alternative funding sources which would allow 10% project to proceed.	
76	Road Improvements - Lodges Rd & Hillier St Reconstruction	N	\$0	\$0	\$0	\$42,132	\$42,132	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$42,132	Jun-14	Road reconstruction and the undergrounding of power along Lodges Road has been completed. The remaining unspent balance is required for the completion of minor streetcapping and bus shelter works.	
77	Park Improvements - Curbil Reserve Public Amenities	N	\$0	\$0	\$150,000	\$64,883	\$214,883	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$214,883	Jun-14	Council approved an allocation of \$335,000 as part of the 2012/13 budget for the replacement of the public amenities block at Curbil Reserve. A detailed review of the existing site conditions identified a shortfall in funding of \$145,000 for a new amenities building. Additional funding of \$140,000 has been approved as part of 2013/14 budget. Construction of the amenities building will be completed in the 2013/14 financial year.	
78	Rural Fire Services - Camden West Building Construction	N	\$0	\$0	\$100,000	\$90,000	\$190,000	\$0	\$0	\$0	\$0	\$0	\$0	\$190,000	\$190,000	Jun-14	There have been delays in the construction of a new rural fire services station at Camden West due to complications with the site location and funding to meet the construction cost. Council will be requested to meet the \$135,000 shortfall from the 2013/14 budget, with this amount to be reimbursed to Council from Rural Fire Fighting Fund in the 2014/15 financial year. Approval of the additional funding will allow the construction to proceed and be completed in the 2013/14 financial year.	
79	Kirkham North Courts Pavement Rehabilitation	N	\$0	\$150,000	\$0	\$13,589	\$163,589	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$163,589	Jun-14	Council has completed a rectification trial on six of the pebble courts located at Kirkham Reserve. The remaining courts will be completed in 2013/14.	
80	Road Improvements - Cribble/Preston Bridge	N	\$0	\$0	\$100,000	\$0	\$100,000	\$100,000	\$0	\$0	\$0	\$0	\$0	\$0	\$100,000	June-14	Preliminary investigation and design work for the proposed over-ear pedestrian bridge have been re-commenced and funding is required in 2013/14. These investigation and design works will be completed in 2013/14.	

Subject to Expenditure Control Forward for the 2013/14 Budget

ORD07

Attachment 1

EXPENDITURE REVOTES CARRIED FORWARD FROM THE 2012/13 BUDGET

Item No.	Description	M/N	Council Approved				Promised June	Total Revote	Sector BA	Grant Cont.	Revoke Cont.	Source of Funding			Expected Completion	Comments	
			September	December	March	June						Waste Mgmt	General Revenue	DDP Loan			Other Income
81	Park improvements - Macarthur Park Recreations	N	\$0	\$0	\$0	\$56,900	\$56,900	\$0	\$0	\$10,000	\$0	\$0	\$0	\$0	\$0	\$56,900	Works have not been completed due to delays in the assessment of proposed works by Heritage advisors. The works will be completed during the first quarter of 2013/14. The works are performed by the Community Infrastructure Renewal Program.
87	Road Improvements - CWV / Hilder Street Intersection Design	N	\$0	\$0	\$20,000	\$0	\$50,000	\$50,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$50,000	A traffic study of future traffic movements along Cameron Valley Way and Hilder Street has recently been completed. The results of this study will inform the designs for the intersection upgrade. Design works will be completed in 2013/14.
88	Building Systems - Works Detail Study	N	\$0	\$0	\$0	\$46,535	\$46,535	\$0	\$0	\$46,535	\$0	\$0	\$0	\$0	\$0	\$46,535	Funding is required to complete the balance of works remaining. These works will be completed during the 2013/14 financial year.
84	Park improvements - Leach Free Area Improvement	N	\$0	\$0	\$0	\$42,878	\$42,878	\$42,878	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$42,878	Funding is required to complete the balance of works remaining. These works will be completed during the 2013/14 financial year.
85	Camden Memorial Pool Redevelopment	N	\$0	\$0	\$0	\$34,765	\$34,765	\$0	\$0	\$34,765	\$0	\$0	\$0	\$0	\$0	\$34,765	The remaining balance of works to be completed at the Camden Memorial Pool have been delayed until the completion of the 2013 swimming season. The works will be completed during the first quarter of 2013/14.
86	Stormwater Management - Elderslie Trunk Drainage Design	N	\$0	\$0	\$0	\$29,215	\$29,215	\$0	\$0	\$0	\$0	\$29,215	\$0	\$0	\$0	\$29,215	The design phase for this project has taken longer than expected due to complexity of the design and delays receiving background information. The design works are expected to be completed by November 2013.
87	Stormwater Management - Mareeilen Drainage Channel Improvements	N	\$0	\$0	\$0	\$10,000	\$20,000	\$0	\$0	\$10,000	\$0	\$0	\$0	\$0	\$0	\$10,000	There have been delays in commencing works due to site conditions and poor weather conditions. Testing of the material to be removed is required before works can proceed. The works will be completed 2013/14 financial year.
88	Park improvements - BEP Compiling Lower Outlets	N	\$0	\$0	\$0	\$14,000	\$14,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$14,000	Works have not begun due to delays in completing design layouts. Works will be completed in 2013/14 financial year.
89	Park improvements - Kiriham Netball Lighting Stage 2	N	\$0	\$0	\$0	\$4,019	\$4,019	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$4,019	Stage 2 lighting and power upgrade works have been completed during 2012/13. The remaining funds are required for minor adjustments and system testing which will take place during the 2013/14 financial year.
Sub Total - Capital Works			\$022,200	\$2,417,385	\$1,440,000	\$1,501,184	\$5,740,829	\$4,304,768	\$56,950	\$111,300	\$0	\$471,172	\$215,367	\$215,665	\$5,740,829		
Total Revenues Program			\$022,200	\$2,417,385	\$1,440,000	\$1,501,184	\$5,740,829	\$7,804,465	\$741,335	\$1,125,418	\$83,618	\$1,401,367	\$215,367	\$980,210	\$13,647,930		

Expenditure Revotes Carried Forward from 2012/13 Budget

EXPENDITURE REVOTES CARRIED FORWARD FROM THE 2012/13 BUDGET

EXPENDITURE REVOTES - SOURCE OF FUNDS	2010/11		2011/12		2012/13		2012/13		2012/13		Total Revote
	Adopted Revote	June Revote	Total Revote	Adopted Revote	June Revote	Total Revote	Adopted Revote	June Revote	Total Revote		
Section 94 Contributions	\$4,585,405	\$146,155	\$4,731,560	\$1,440,510	\$933,806	\$3,074,318	\$7,055,245	\$885,224	\$885,224	\$7,844,465	
Sectional Grant Funding	\$492,493	\$164,613	\$657,106	\$640,405	\$93,095	\$1,553,500	\$84,902	\$106,433	\$191,335	\$1,744,835	
Internal Reserve	\$68,120	\$76,603	\$328,923	\$412,881	\$756,381	\$1,169,862	\$945,325	\$1,378,093	\$2,323,418	\$3,323,418	
Waste Management	\$0	\$0	\$0	\$666,793	\$0	\$666,793	\$17,006	\$38,032	\$55,038	\$85,918	
General Revenue	\$378,600	\$380,544	\$759,144	\$314,600	\$1,357,893	\$1,672,493	\$677,094	\$774,402	\$1,451,496	\$3,123,989	
DUF Loan	\$3,328,000	\$443,824	\$3,771,824	\$5,000,000	(\$1,833,000)	\$3,166,800	\$0	\$271,187	\$271,187	\$3,437,987	
Other Sources	\$0	\$0	\$0	\$188,318	\$434,131	\$622,449	\$137,500	\$827,710	\$965,210	\$1,592,659	
TOTAL - EXPENDITURE REVOTES	\$8,648,623	\$1,290,839	\$9,939,462	\$8,923,907	\$7,462,968	\$11,086,915	\$9,421,076	\$4,226,844	\$13,647,920	\$24,734,835	
INTERNAL RESERVE REVOTE ANALYSIS	Reserve Cont.	CRP	Capital Works	Reserve	Reserve	Reserve	Plant Reserve	Town Centre Reserve	Water Levy	General Fd. Stormwater	
2012/13											
Corporate Service Level Review	\$12,000	\$0	\$0	\$12,000	\$0	\$0	\$0	\$0	\$0	\$0	
John St / Mitchell St Roundabout Design	\$145,224	\$0	\$0	\$145,224	\$0	\$0	\$0	\$0	\$0	\$0	
Repean River Flood Mapping	\$48,000	\$0	\$0	\$48,000	\$0	\$0	\$0	\$0	\$0	\$0	
Russell Creek Flood Study	\$37,500	\$0	\$0	\$12,000	\$0	\$0	\$0	\$0	\$0	\$25,500	
Upper South Creek Flood Study	\$40,000	\$0	\$0	\$40,000	\$0	\$0	\$0	\$0	\$0	\$0	
Repean River Trail Project	\$40,463	\$0	\$14,461	\$24,000	\$0	\$0	\$0	\$0	\$0	\$0	
Camden Drainage Evaluation	\$90,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	
Town Entry Signage	\$40,000	\$0	\$0	\$40,000	\$0	\$0	\$0	\$0	\$0	\$0	
Camden Colonnades & Rose Garden	\$19,919	\$0	\$19,919	\$0	\$0	\$0	\$0	\$0	\$0	\$0	
Camden Valley Way Shared Footway	\$38,872	\$0	\$0	\$0	\$0	\$0	\$0	\$38,872	\$0	\$0	
Camden Town Centre Traffic Studies	\$26,077	\$0	\$0	\$26,077	\$0	\$0	\$0	\$0	\$0	\$0	
Flood Lighting Installation	\$52,666	\$0	\$52,666	\$0	\$0	\$0	\$0	\$0	\$0	\$0	
Menangle New Protection Facility	\$10,212	\$0	\$0	\$10,212	\$0	\$0	\$0	\$0	\$0	\$0	
Design & Survey Agency Staff	\$3,850	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	
Stormwater Outlet Controls	\$3,098	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$3,800	\$0	
Laure Annexe Rehabilitation Planning	\$16,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$3,399	\$0	
Plant Replace, Infrastructure Works	\$100,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	
Additional Plant - Drainage Truck	\$172,500	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	
Laure Annexe GPT Installation	\$134,500	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$50,000	\$150,000	
Plant Replace, Parks Maintenance	\$20,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	
Plant Replace, Community Bus & Survey Van	\$41,394	\$41,394	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	
Stormwater GPT Maintenance & Cleaning	\$10,888	\$10,888	\$0	\$0	\$0	\$0	\$0	\$0	\$20,000	\$0	
Civic Centre Air-Conditioning	\$20,131	\$20,131	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	
Parks Equipment Renewal	\$10,083	\$10,083	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	
Cyclist Asset Replacement Program	\$10,083	\$10,083	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	
Richardson Road Stabilisation	\$7,741	\$7,741	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	
Crosspulture Bridge Rehabilitation	\$7,741	\$7,741	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	
Stormwater Asset Planning	\$5,000	\$5,000	\$0	\$0	\$0	\$0	\$0	\$0	\$7,300	\$0	
Revelin Library Sub-Artwork	\$46,535	\$46,535	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	
Revelin Woods Depot Study	\$30,000	\$30,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	
Macarthur Park Rectifications	\$34,765	\$34,765	\$0	\$0	\$0	\$0	\$0	\$0	\$54,765	\$0	
Camden Memorial Pool Redevelopment	\$20,000	\$20,000	\$0	\$0	\$0	\$0	\$0	\$0	\$20,000	\$0	
Revelin Drainage Channel Improvements	\$2,323,418	\$2,323,418	\$44,676	\$551,602	\$0	\$831,000	\$38,872	\$489,354	\$175,500	\$175,500	
TOTAL - INTERNAL RESERVE REVOTES	\$2,323,418	\$100,414	\$44,676	\$551,602	\$0	\$831,000	\$38,872	\$489,354	\$175,500	\$175,500	

Please Note: Amounts submitted in yellow are Council fund allocations which have been invited for the past two years.

Expenditure Revotes Carried Forward from the 2012/13 Budget

ORDINARY COUNCIL

ORD08

SUBJECT: INVESTMENT MONIES - JULY 2013
FROM: Director Governance
TRIM #: 13/16412

PURPOSE OF REPORT

In accordance with Part 9, Division 5, Section 212 of the Local Government (General) Regulation 2005, a list of investments held by Council as at 31 July 2013 is provided.

MAIN REPORT

The weighted average return on all investments was 4.33% p.a. for the month of July 2013.

It is certified that all investments have been made in accordance with Section 625 of the Local Government Act 1993, the relevant regulations and Council's Investment Policy.

The Principal Accounting Officer is the Manager Corporate Services.

Council's Investment Report is an attachment to this report

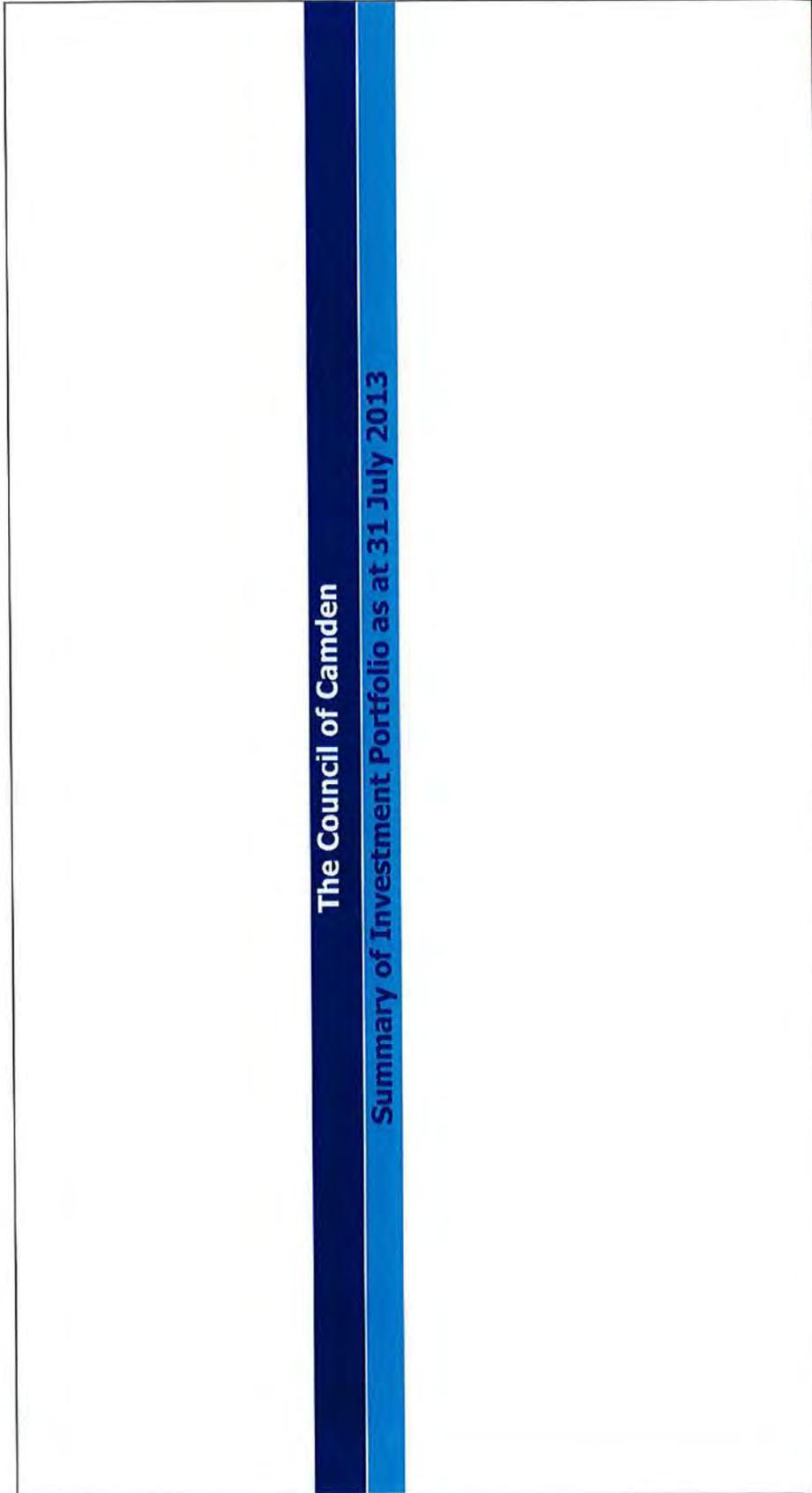
RECOMMENDED

That Council:

- i. note that the Principal Accounting Officer has certified that all investments held by Council have been made in accordance with the Local Government Act 1993, Regulations, and Council's Investment Policy;**
- ii. note the list of investments for July 2013; and**
- iii. note the weighted average interest rate return of 4.33% p.a. for the month of July 2013.**

ATTACHMENTS

1. Camden Report July 13



The Council of Camden
Investment Summary

Purchase Date	Institution	Rating	Purchase Price	Face Value	Type	Term	Maturity	Interest Rate	Accrued Interest	Reference
3-May-12	Credit Union Australia	A-2	\$1,000,000	\$1,000,000	Term Deposits	728 days	1-May-14	5.95%	\$14,671.23	2518
10-May-12	Credit Union Australia	A-2	\$1,000,000	\$1,000,000	Term Deposits	728 days	8-May-14	5.95%	\$13,530.14	2519
27-Jul-12	Suncorp Metway	A-1	\$1,000,000	\$1,000,000	Term Deposits	734 days	31-Jul-14	5.14%	\$422.47	2536
24-Jan-13	Commonwealth Bank of Australia	A-1+	\$1,500,000	\$1,500,000	Term Deposits	371 days	30-Jan-14	4.40%	\$34,175.34	2571
24-Jan-13	Commonwealth Bank of Australia	A-1+	\$1,000,000	\$1,000,000	Term Deposits	371 days	30-Jan-14	4.40%	\$22,783.56	2572
7-Feb-13	Commonwealth Bank of Australia	A-1+	\$1,000,000	\$1,000,000	Term Deposits	364 days	06-Feb-14	4.40%	\$21,095.89	2575
7-Feb-13	National Australia Bank Limited	AA-	\$500,000	\$500,000	Term Deposits	728 days	5-Feb-15	4.50%	\$10,787.67	2576
8-Feb-13	National Australia Bank Limited	A-2	\$1,000,000	\$1,000,000	Term Deposits	181 days	08-Aug-13	4.30%	\$20,496.63	2574
28-Feb-13	Bendigo and Adelaide Bank Limited	A-2	\$1,000,000	\$1,000,000	Term Deposits	182 days	29-Aug-13	4.15%	\$17,509.59	2580
28-Feb-13	Westpac Banking Corporation	A-1+	\$1,000,000	\$1,000,000	Term Deposits	189 days	05-Sep-13	4.15%	\$17,509.59	2581
1-Mar-13	Westpac Banking Corporation	A-1+	\$1,000,000	\$1,000,000	Term Deposits	195 days	12-Sep-13	4.15%	\$17,395.89	2582
8-Mar-13	Westpac Banking Corporation	A-1+	\$500,000	\$500,000	Term Deposits	182 days	08-Oct-13	4.30%	\$8,600.00	2583
8-Mar-13	Commonwealth Bank of Australia	A-1+	\$1,400,000	\$1,400,000	Term Deposits	214 days	31-Oct-13	4.50%	\$21,230.14	2588
31-Mar-13	Commonwealth Bank of Australia	A-1+	\$1,400,000	\$1,400,000	Term Deposits	119 days	01-Aug-13	4.40%	\$8,607.12	2589
4-Apr-13	Members Equity Bank	A-2	\$600,000	\$600,000	Term Deposits	154 days	19-Sep-13	4.34%	\$7,490.96	2590
18-Apr-13	JING Bank (Australia) Limited	A-1	\$600,000	\$600,000	Term Deposits	97 days	01-Aug-13	4.50%	\$10,763.01	2591
26-Apr-13	Bendigo and Adelaide Bank Limited	A-2	\$900,000	\$900,000	Term Deposits	106 days	15-Aug-13	4.35%	\$10,964.38	2592
1-May-13	Bendigo and Adelaide Bank Limited	A-2	\$1,000,000	\$1,000,000	Term Deposits	213 days	30-Nov-13	4.40%	\$11,090.41	2594
1-May-13	Commonwealth Bank of Australia	A-1+	\$1,000,000	\$1,000,000	Term Deposits	213 days	30-Nov-13	4.40%	\$7,675.07	2593
1-May-13	Westpac Banking Corporation	AA-	\$700,000	\$700,000	Term Deposits	736 days	7-May-15	4.35%	\$5,484.93	2596
2-May-13	Bank of Queensland	A-2	\$500,000	\$500,000	Term Deposits	140 days	19-Sep-13	4.40%	\$5,484.93	2597
6-May-13	Westpac Banking Corporation	AA-	\$2,000,000	\$2,000,000	Term Deposits	738 days	14-May-15	4.35%	\$20,736.99	2598
9-May-13	Commonwealth Bank of Australia	A-1+	\$1,500,000	\$1,500,000	Term Deposits	214 days	09-Dec-13	4.40%	\$15,189.04	2599
10-May-13	Commonwealth Bank Limited	A-1	\$1,000,000	\$1,000,000	Term Deposits	139 days	26-Sep-13	4.20%	\$9,550.68	2600
16-May-13	Macquarie Bank Limited	A-1	\$1,500,000	\$1,500,000	Term Deposits	175 days	07-Nov-13	4.25%	\$13,448.63	2603
17-May-13	Bank of Queensland	A-2	\$800,000	\$800,000	Term Deposits	214 days	17-Dec-13	4.25%	\$7,079.45	2601
17-May-13	Westpac Banking Corporation	AA-	\$500,000	\$500,000	Term Deposits	734 days	21-May-15	4.35%	\$4,528.77	2602
17-May-13	Westpac Banking Corporation	AA-	\$500,000	\$500,000	Term Deposits	1098 days	19-May-16	4.55%	\$4,736.99	2604
24-May-13	Westpac Banking Corporation	A-1+	\$1,000,000	\$1,000,000	Term Deposits	92 days	24-Aug-13	4.15%	\$7,845.21	2605
24-May-13	Commonwealth Bank of Australia	A-1+	\$1,000,000	\$1,000,000	Term Deposits	214 days	24-Dec-13	4.25%	\$8,034.25	2606
27-May-13	Commonwealth Bank of Australia	A-1	\$1,000,000	\$1,000,000	Term Deposits	129 days	03-Oct-13	4.10%	\$7,413.70	2607
30-May-13	National Australia Bank Limited	A-1+	\$1,500,000	\$1,500,000	Term Deposits	133 days	10-Oct-13	4.10%	\$10,615.07	2608
31-May-13	National Australia Bank Limited	A-1+	\$1,500,000	\$1,500,000	Term Deposits	139 days	17-Oct-13	4.10%	\$10,446.58	2609
4-Jun-13	Rural Bank Limited	A-2	\$1,000,000	\$1,000,000	Term Deposits	142 days	24-Oct-13	4.30%	\$6,832.88	2610
6-Jun-13	Bank of Queensland	A-2	\$1,500,000	\$1,500,000	Term Deposits	140 days	24-Oct-13	4.30%	\$9,895.89	2611
6-Jun-13	Westpac Banking Corporation	A-1+	\$1,500,000	\$1,500,000	Term Deposits	161 days	14-Nov-13	4.07%	\$9,366.58	2612
6-Jun-13	National Australia Bank Limited	A-1+	\$1,500,000	\$1,500,000	Term Deposits	168 days	21-Nov-13	4.07%	\$9,366.58	2613
7-Jun-13	National Australia Bank Limited	A-1+	\$1,000,000	\$1,000,000	Term Deposits	181 days	05-Dec-13	4.06%	\$6,117.81	2615
11-Jun-13	Commonwealth Bank of Australia	A-1+	\$1,000,000	\$1,000,000	Term Deposits	93 days	12-Sep-13	4.10%	\$5,728.77	2614
11-Jun-13	Commonwealth Bank of Australia	A-1+	\$500,000	\$500,000	Term Deposits	213 days	10-Jan-14	4.10%	\$2,864.38	2614
13-Jun-13	Members Equity Bank	A-2	\$1,500,000	\$1,500,000	Term Deposits	182 days	12-Dec-13	4.25%	\$8,558.22	2616



The Council of Camden Investment Summary

13-Jun-13	National Australia Bank Limited	A-1+	\$1,000,000	Term Deposits 189 days	19-Dec-13	4.11%	\$5,517.53	2617
17-Jun-13	National Australia Bank Limited	A-1+	\$1,500,000	Term Deposits 199 days	02-Jan-14	4.06%	\$7,508.22	2618
20-Jun-13	Members Equity Bank	A-2	\$500,000	Term Deposits 182 days	19-Dec-13	4.25%	\$2,445.21	2619
27-Jun-13	Bank of Queensland	A-2	\$1,000,000	Term Deposits 154 days	28-Nov-13	4.30%	\$4,123.29	2620
4-Jul-13	Members Equity Bank	A-2	\$500,000	Term Deposits 189 days	09-Jan-14	4.20%	\$1,610.96	2621
11-Jul-13	Suncorp Metway	A-1	\$1,000,000	Term Deposits 77 days	26-Sep-13	4.00%	\$2,301.37	2622
12-Jul-13	National Australia Bank Limited	A-1+	\$500,000	Term Deposits 188 days	16-Jan-14	4.10%	\$1,123.29	2623
19-Jul-13	National Australia Bank Limited	A-1+	\$1,500,000	Term Deposits 181 days	16-Jan-14	4.02%	\$2,147.67	2624
22-Jul-13	Macquarie Bank Limited	A-1	\$1,000,000	Term Deposits 183 days	23-Jan-14	4.00%	\$1,095.89	2625
25-Jul-13	Heritage Bank Ltd	*	\$1,000,000	Term Deposits 189 days	30-Jan-14	4.10%	\$786.30	2627
25-Jul-13	Members Equity Bank	A-2	\$1,500,000	Term Deposits 273 days	24-Apr-14	4.20%	\$1,208.22	2626
30-Jul-13	Bank of Queensland	A-2	\$500,000	Term Deposits 198 days	13-Feb-14	4.05%	\$110.96	2629
30-Jul-13	Members Equity Bank	A-2	\$750,000	Term Deposits 366 days	31-Jul-14	4.15%	\$170.55	2628
Totals			\$53,750,000				\$490,791.95	
various	Commonwealth Bank of Australia	A-1+	\$890,000	Call Account		3.05%		At: Call
Totals			\$54,640,000					

* Heritage Bank have requested S&P no longer provide a credit rating in relation to the bank. However, Heritage is still rated by Moody's (A3 long term, P2 short term) and by Fitch (BBB+ longer term, F2 short term). Council's investment in Heritage continues to fully comply with the current Investment Policy.



As at 31 July 2013

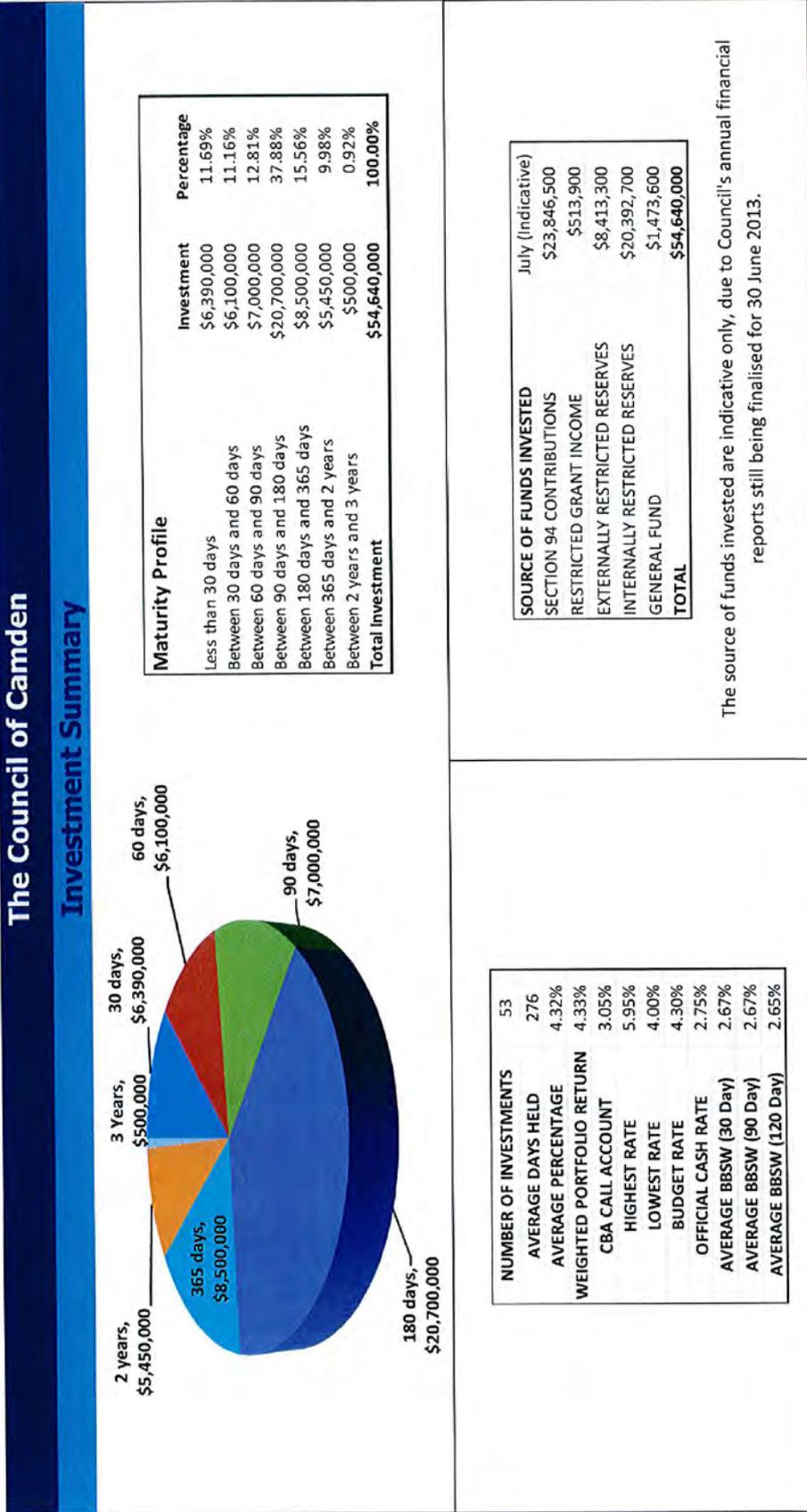
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**The Council of Camden
Investment Summary**

Compliance with Council's adopted investment policy							
Distribution of Funds by Financial Institution							
Financial Institution	Investment Balance	Current Weighting	Investment Policy Limit	Investment Policy	Short/Long Term Rating		
Commonwealth Bank of Australia	\$12,090,000	22.13%	25%	Yes	A1+	AA-	
National Australia Bank	\$10,500,000	19.22%	25%	Yes	A1+	AA-	
Westpac Banking Corporation	\$8,200,000	15.01%	25%	Yes	A1+	AA-	
Suncorp Bank	\$4,000,000	7.32%	15%	Yes	A1	A+	
ING Bank (Australia) Limited	\$600,000	1.10%	5%*	Yes	A1	A	
Macquarie Bank Limited	\$2,000,000	3.66%	15%	Yes	A1	A	
Bank of Queensland	\$5,000,000	9.15%	10%	Yes	A2	BBB+	
Bendigo and Adelaide Bank	\$3,900,000	7.14%	10%	Yes	A2	A-	
Credit Union Australia	\$2,000,000	3.66%	10%	Yes	A2	BBB+	
Members Equity Bank	\$5,350,000	9.78%	10%	Yes	A2	BBB	
Heritage Bank	\$1,000,000	1.83%	5%	Yes	A3	BBB-	
Total Investment	\$54,640,000	100.00%					
Exposure to Rating Categories							
AAA / A1+ Category	\$26,590,000	48.66%	100%	Yes			
AA / A1 Category	\$10,800,000	19.77%	75%	Yes			
A / A2 Category	\$16,250,000	29.74%	30%	Yes			
BBB / A3 Category	\$1,000,000	1.83%	10%	Yes			
Total Investment	\$54,640,000	100.00%					
Term to Maturity Limits							
Portfolio % < 1 yr	\$48,690,000	89.11%	min 40%	Yes			
Portfolio % > 1 yr < 3 yrs	\$5,950,000	10.89%	60%	Yes			
Portfolio % > 3 yrs < 5 yrs	\$0	0.00%	30%	Yes			

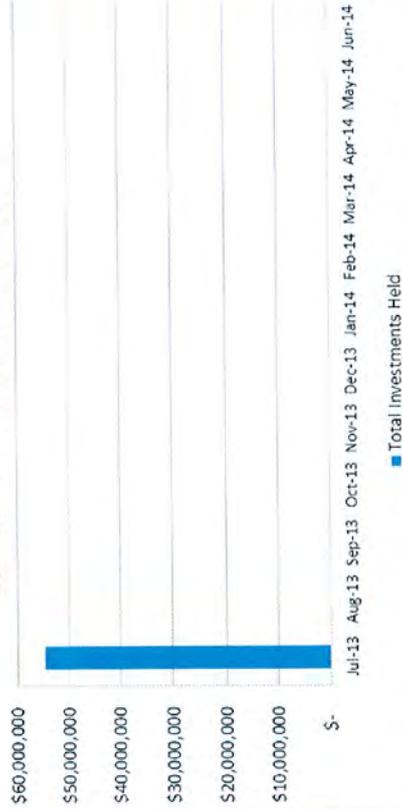
* ING Bank (Australia) has a 5% investment policy limit as it is an authorised depository institution that is a foreign subsidiary bank



Attachment 1 ORD08

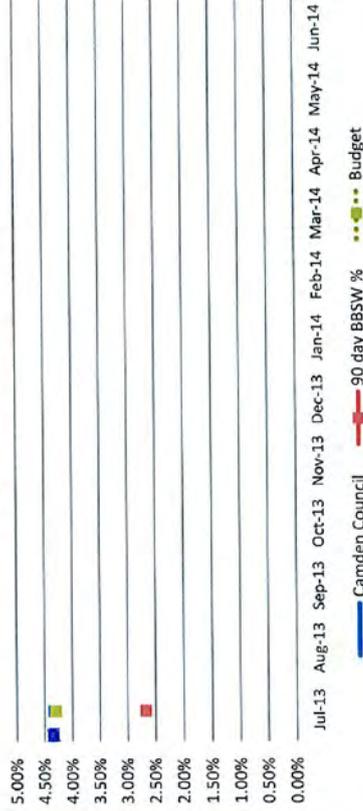
The Council of Camden
Investment Summary

Investment Portfolio Balance



The overall increase in Council's investment portfolio of \$1 million primarily relates to Section 94 cash receipts received for the July Period.

Performance vs Benchmark



Council's portfolio had a weighted average yield of 4.33%pa for the month of July, strongly outperforming the UBS 90 day Bank Bill Swap Rate of 2.67%pa.

	July	Cumulative (since 1 July)	Projected Interest	Original Budget
General Fund	\$84,738	\$84,738	\$981,800	\$981,800
Restricted	\$104,967	\$104,967	\$751,800	\$751,800
TOTAL	\$189,705	\$189,705	\$1,733,600	\$1,733,600

As at 31 July 2013



The Council of Camden Investment Summary

Standard & Poor's Ratings Description

Standard & Poor's (S&P) is a professional organisation that provides analytical services. An S&P rating is an opinion of the general creditworthiness of an obligor with respect to particular debt security or other financial obligation — based on relevant risk factors.

Credit ratings are based, in varying degrees, on the following considerations:

- Likelihood of payment.
- Nature and provisions of the obligation.
- Protection afforded by, and relative position of, the obligation in the event of bankruptcy, reorganisation or other laws affecting creditors' rights.

The issue rating definitions are expressed in terms of default risk.

S&P Short-Term Obligation Ratings are:

A-1: This is the highest short-term category used by S&P. The obligor's capacity to meet its financial commitment on the obligation is strong. Within this category, certain obligations are designated with a plus sign (+). This indicates that the obligor's capacity to meet its financial commitment on these obligations is extremely strong.

A-2: A short-term obligation rated A-2 is somewhat more susceptible to the adverse effects of changes in circumstances and economic conditions than obligations in higher rating categories. However, the obligor's capacity to meet its financial commitment on the obligation is satisfactory.

A-3: A short-term obligation rated A-3 exhibits adequate protection parameters. However, adverse economic conditions or changing circumstances are more likely to lead to a weakened capacity of the obligor to meet its financial commitment on the obligation.

S&P Long-Term Obligations Ratings are:

AAA: An obligation/obligor rated AAA has the highest rating assigned by S&P. The obligor's capacity to meet its financial commitment on the obligation is extremely strong.

AA: An obligation/obligor rated AA differs from the highest rated obligations only in a small degree. The obligor's capacity to meet its financial commitment on the obligations is very strong.

A: An obligation/obligor rated A is somewhat more susceptible to the adverse effects of changes in circumstances and economic conditions than obligations/obligor in higher rated categories. However, the obligors' capacity to meet its financial commitment on the obligation is still strong.

BBB: An obligation/obligor rated BBB exhibits adequate protection parameters. However, adverse economic conditions or changing circumstances are more likely to lead to a weakened capacity to the obligor to meet its financial commitment on the obligation.

Unrated: Financial institutions do not necessarily require a credit rating from the various ratings agencies such as Standard and Poor's and these institutions are classed as "Unrated". Most Credit Unions and Building Societies fall into this category. These institutions nonetheless must adhere to the capital maintenance requirements of the Australian Prudential Regulatory Authority (APRA) in line with all Authorised Deposit Taking Institutions (Banks, Building Societies and Credit Unions).

Plus (+) or Minus (-): The ratings from "AA" to "BBB" may be modified by the addition of a plus or minus sign to show relative standing within the major rating categories. Each new investment and investment recall requires two authorised signatories.

As at 31 July 2013

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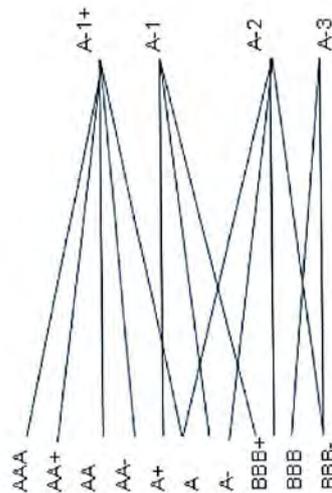
**The Council of Camden
Investment Summary**

CreditWatch highlights an emerging situation, which may materially affect the profile of a rated corporation and can be designed as positive, developing or negative. Following a full review the rating may either be affirmed or changed in the direction indicated.

A Rating Outlook assesses the potential direction of an issuer's long-term debt rating over the intermediate-to-long term. In determining a Rating Outlook, consideration is given to possible changes in the economic and/or fundamental business conditions. An outlook is not necessarily a precursor of a ratings change or future CreditWatch action. A "Rating Outlook – Positive" indicates that rating may be raised. "Negative" means a rating may be lowered. "Stable" indicates that ratings are not likely to change. "Developing" means ratings may be raised or lowered.

S&P Ratings Correlations

The standard correlation of short-term ratings with long-term ratings is shown below.



Profile of Recently Invested Institutions

Bank of Queensland: (S&P: A2/ BBB+) – Australia-wide bank with Queensland as its core market segment. BoQ is listed on the Australian stock exchange with around \$40b in assets. Deposits make up 59% of total funding, wholesale funds 28%, and securitisation 15%. Its latest profit was -\$17m (12 months to Aug 2012), however this included a \$401m impairment on loans and its Tier 1 Capital Adequacy Ratio was 9.4% (Nov 2012).

Bendigo and Adelaide Bank: (S&P: A2/A-) – Regional and community-focussed bank that operates nationwide. The bank is listed on the Australian stock exchange with around \$57b in assets. Deposits make up 80% of its total funding, 12% from securitisation, and 8% from wholesale funding. Its latest profit was \$189m (6 months to Dec 2012) and its Tier 1 Capital Adequacy Ratio was 9.3% (Dec 2012).

CUA (S&P: A2/ BBB+) – CUA is Australia's largest credit union with over \$9b in assets. CUA relies on customer deposits for about 70% of its funding, while securitisation makes up 25% of its funding requirements. Its latest profit was \$24m (6 months to Dec 2011) and its Tier 1 Capital Adequacy Ratio was 14.6% (Dec 2012).

Heritage Bank (Moody's: P2/A3) – Queensland based bank that has over \$8b in assets. Heritage relies on customer deposits for about 50% of its funding, securitisation makes up 23% and wholesale funds around 20%. Its latest profit was \$19.6m (6 months to December 2012) and its Tier 1 Capital Adequacy Ratio was 10.2% (Dec 2012).

ME Bank: (S&P: A2/ BBB) - ME Bank is owned by industry super funds and has assets of nearly \$12b. ME Bank has a heavy reliance on securitization (57% of funding as of Jun 2012) however it is planning to reduce this to 25% by increasing its customer deposits (which make up only 30% of its funding). Its latest profit was \$4.7m (12 months to June 2012) and its Tier 1 Capital Adequacy Ratio was 11.3% (Dec 2012).





ORDINARY COUNCIL

ORD09

ORD09

**SUBJECT: REQUEST FOR FUNDING 2013 ANNUAL CAROLS BY CANDLELIGHT
MACARTHUR PARK - CAMDEN ANGLICAN PARISH**

FROM: Director Governance

TRIM #: 13/4470

PURPOSE OF REPORT

The purpose of this report is to consider a request from the Camden Anglican Parish Council for funding to assist with the staging of the 2013 Carols by Candlelight held annually in Macarthur Park. **A copy of the request is provided with the Business Paper Supporting Documents.**

BACKGROUND

The Camden Anglican Parish Council has conducted Carols by Candlelight for over 50 years in Camden. Initially the Carols were held in the grounds of St John's Church, Camden however given the growth of the Camden LGA this event has now been held in the grounds of Macarthur Park for over 20 years.

MAIN REPORT

The Camden Anglican Parish Council works in collaboration with Council to hold their annual Carols by Candlelight in Macarthur Park. The Carols are sponsored by the Church and there is no cost to the public to attend. The Girls Friendly Society sell non-flame safety candles or glow sticks and the Macarthur Lions Club provide a community barbeque.

The event is an integral part of the festive season and is a chance for the community to unite in an evening of goodwill and enjoy the musical entertainment provided.

Whilst waste bins are located in Macarthur Park, given the amount of people who attend this event it is necessary for a minimum of 10 additional waste bins to be provided on the night.

The Camden Anglican Parish Council has requested that Council consider waiving the fee for the hire of Macarthur Park and the cost of the provision of additional waste bins.

FINANCIAL IMPLICATIONS

Hire Fee Macarthur Park	\$70
Hire Fee Extra Waste Bins	<u>\$121</u> (provision of 10 bins)
Total	\$191

Council has an available allocation of \$21,453 in consolidated Ward Funds for the 2013/14 financial year. The unspent Ward Funds balance from 2012/13 is \$11,717. If Council resolves to revote these funds as per ORD07, the balance of consolidated Ward Funds will be \$33,170.

CONCLUSION,

Carols by Candlelight is an established event that is well attended by the community and assists in enhancing the Christmas theme in Camden.

RECOMMENDED

A matter for Council to determine.

ATTACHMENTS

1. Annual Carols by Candlelight Funding Request - *Supporting Document*