



Corporate & Works Committee

Agenda: *Corporate & Works Committee*

Date: *Monday 12 September 2011*

Time: *6.00pm*

Outline of Meeting Protocol & Procedure:

- The Chairperson will call the Meeting to order and ask the Committee/Staff to present apologies or late correspondence.
- The Chairperson will commence the Order of Business as shown in the Index to the Agenda.
- At the beginning of each item the Chairperson will ask whether a member(s) of the public wish to address the Committee.
- If person(s) wish to address the Committee, they are allowed four (4) minutes in which to do so. Please direct comments to the issues at hand.
- If there are persons representing both sides of a matter (eg applicant/objector), the person(s) against the recommendation speak first.
- At the conclusion of the allotted four (4) minutes, the speaker resumes his/her seat and takes no further part in the debate unless specifically called to do so by the Chairperson.
- If there is more than one (1) person wishing to address the Committee from the same side of the debate, the Chairperson will request that where possible a spokesperson be nominated to represent the parties.
- The Chairperson has the discretion whether to continue to accept speakers from the floor.
- After considering any submissions the Committee will debate the matter (if necessary), and arrive at a recommendation (R items which proceed to Full Council) or a resolution (D items for which the Committee has delegated authority).

Recommendation only to the Full Council (“R” Items)

- Such matters as are specified in Section 377 of the Local Government Act and within the ambit of the Committee considerations.
- The voting of money for expenditure on works, services and operations.
- Rates, Fees and Charges.
- Donations
- Matters which involve broad strategic or policy initiatives within responsibilities of the Committee.
- Matters not within the specified functions of the Committee.
- Asset Rationalisation.
- Corporate Operations:-
 - Statutory Reporting;
 - Adoption of Council's Community Strategic Plan, Delivery Program and Operational Plan;
 - Delegations; and
 - Policies.
- Tenders as per Regulation requirements.
- Leases.
- Matters reserved by individual Councillors in accordance with any Council policy on "safeguards" and substantive changes.

Delegated Authority (“D” Items)

- General financial and corporate management of the Council, except those specifically excluded by statute, by Council direction or delegated specifically to another Committee.
Note: This not to limit the discretions of nominated staff members exercising Delegated Authorities granted by the Council.
- Statutory reviews of Council's Delivery Program and Operational Plan;
- Finance Regulations, including:-
 - Authorisation of expenditures within budgetary provisions where not delegated;
 - Quarterly review of Budget Review Statements;
 - Quarterly and other reports on Works and Services provision; and
 - Writing off of rates, fees and charges because of non-rateability, bad debts, and impracticality of collection.
- Auditing.
- Property Management.
- Asset Management.
- Traffic Management - Works Implementation.
- Works and Services - Monitoring and Implementations.
- Legal Matters and Legal Register.
- Parks and Reserves Management.
- Infrastructure Management, Design and Investigation.
- To require such investigations, reports or actions as considered necessary in respect of matters contained within the Business Agenda (and as may be limited by specific Council resolution).
- Confirmation of the Minutes of its Meetings.
- Any other matter falling within the responsibility of the Corporate and Works Committee and not restricted by the Local Government Act or required to be a Recommendation to Full Council as listed above.

Committee Membership:

7 Councillors

Quorum:

The quorum for a Committee meeting is 4 Councillors.

WOOLLAHRA MUNICIPAL COUNCIL

Notice of Meeting

8 September 2011

To: Her Worship The Mayor, Councillor Isabelle Shapiro ex-officio
Councillors Andrew Petrie (Chair)
Ian Plater (Deputy)
Anthony Boskovitz
Sean Carmichael
Susan Jarnason
Greg Medcraft
David Shoebridge

Dear Councillors

Corporate & Works Committee Meeting – 12 September 2011

In accordance with the provisions of the Local Government Act 1993, I request your attendance at a Meeting of the Council's **Corporate and Works Committee** to be held in the **Council Chambers, 536 New South Head Road, Double Bay, on Monday 12 September 2011 at 6.00pm.**

Gary James
General Manager

Additional Information Relating to Committee Matters

Site Inspection

Item D3 – 25 Wentworth Road, Vacluse - Road Reserve Proposed for Sale.

Site Inspection will take place at **5.00pm on Monday 12 September 2011.**

Item D4 – Encroachment of Road Reserve adjoining – 9 Burrabirra Avenue, Vacluse.

Site Inspection will take place at **5.15pm on Monday 12 September 2011.**

Note:

Council's Technical Services division vehicles are available to transport Councillors to the site inspection, or alternatively personal arrangements can be made.

Please advise Anthony Sheedy on 9391 7019 **by 3.00pm on Monday 12 September 2011**, if you require transport, so that the necessary number of vehicles can be provided.

Council vehicles will leave the Council Chambers at approximately **4.45pm on Monday 12 September 2011.**

Other Matters

Meeting Agenda

Item	Subject	Pages
1	Leave of Absence and Apologies	
2	Late Correspondence Note Council resolution of 27 June 2011 to read late correspondence in conjunction with the relevant Agenda Item	
3	Declarations of Interest	

Items to be Decided by this Committee using its Delegated Authority

D1	Confirmation of Minutes of Meeting held on 29 August 2011	1
D2	Monthly Financial Report – August 2011 – 349.G	2
D3	25 Wentworth Road, Vaucluse – Proposed Road Closure and Sale – 489.25	12
D4	9 Burrabirra Avenue, Vaucluse – Road Reserve Encroachment – 68.9	19

Items to be Submitted to the Council for Decision with Recommendations from this Committee

R1	Hire of Plant and Tipping Truck Services Tender 11/03 – Tender 11/03	23
R2	Public Interest Disclosures Act – Internal Reporting Policy and Internal Reporting System – 1032.G	29

Item No: D1 Delegated to Committee
Subject: **Confirmation of minutes of meeting held on 29 August 2011**
Author: Les Windle, Manager – Governance
File No: See Council Minutes
Reason for Report: The Minutes of the Meeting of Monday 29 August 2011 were previously circulated. In accordance with the guidelines for Committees' operations it is now necessary that those Minutes be formally taken as read and confirmed.

Recommendation:

That the Minutes of the Corporate and Works Committee Meeting of 29 August 2011 be taken as read and confirmed.

Les Windle
Manager – Governance

Item No: D2 Delegated to Committee
Subject: **Monthly Financial Report - August 2011**
Author: Don Johnston, Manager Finance
File No: 349.G
Reason for Report: To present the monthly financial report for August 2011.

Recommendation:

That the monthly financial report be received and noted.

Background:

The monthly financial report for August 2011 is submitted to the Committee for consideration and includes the following:

- Investment Transactions for the Month
- Summary of Receipts, Payments and Bank Balance
- Summary of Investments
- Details of Investment Portfolio
- Charts:
 - ◆ Weighted Average Maturity and Weighted Average Returns
 - ◆ Weighted Average Returns v Australian 90 day Term Deposit Index
 - ◆ Actual Interest Earned v Original Budget & Revised Forecast
 - ◆ Maturity Profile Chart
- Movements in Book Value of Investments

Investment Transactions for the Month

Date	Transaction	Description	Amount (\$)
31 Jul		Book Value of Investments Held	30,478,561.95
9 Aug	Purchase	Bank of Qld, 62 days @ 5.85%	1,000,000.00
9 Aug	Purchase	Bankwest, 62 days @ 5.85%	1,000,000.00
9 Aug	Purchase	Big Sky CU, 62 days @ 5.85%	1,000,000.00
9 Aug	Purchase	Qantas Staff CU, 62 days @ 5.85%	1,000,000.00
9 Aug	Purchase	Suncorp-Metway Ltd, 62 days @ 5.85%	1,000,000.00
11 Aug	Maturity	IMB, 365 days @ 6.35%	(1,000,000.00)
21 Aug	Maturity	Quay CU, 181 days @ 6.25%	(1,000,000.00)
21 Aug	Purchase	Quay CU, 30 days @ 5.75%	1,000,000.00
31 Aug	Purchase	People's Choice CU, 30 days @ 5.69%	1,000,000.00
31 Aug	Purchase	Railways CU, 30 days @ 5.69%	1,000,000.00
Various	Purchase	Net Movement in Online Savings Cash Account	2,488,161.53
Various	Purchase	Net Movement in UBS Cash Management Trust Account (Coupon payments + UBS interest + Deposits - UBS Fees - Withdrawals)	12,748.41
Various	Deposit	Net Movement in Macquarie Cash Trust (Macquarie interest - Macquarie Fees - Withdrawals)	0.00
		Net Change in Portfolio	8,500,909.94
31 Aug		Book Value of Investments Held	38,979,471.89

Commentary:

The transaction summary above notes the maturity of two term deposits during August and the establishment of eight new term deposits invested for either 62 or 30 days attracting deposit rates ranging from 5.85% for the longer term to 5.69%.

The increase in the investment portfolio for August is consistent with a rates instalment month and is after a number of significant periodical payments, for example, workers compensation insurance renewals (\$321k) and a quarterly NSW Fire Brigade contribution (\$618k).

Investments Working Party Update

At the last Working Party meeting members expressed interest in selling Glenelg at no less than 38 cents. Work is continuing in relation to the sale of Glenelg in an effort to secure a bid in the high 30's, although this has been made difficult given recent market volatility. The working party will continue to be provided with pricing updates as they come to hand.

Summary of Receipts, Payments and Bank Balance

Cash Book Balance as at 31 July 2011 841,355.51

Receipts

Rates 11,346,194.53
Investment Maturities 7,424,042.49
Other 3,218,962.59

21,989,199.61

Total Receipts

Description	Amount
S/Drs-Rates	11,346,194.53
Sundry Debtors Control	695,325.95
Deposits & Bonds Control Account	424,404.62
Parking Fines	401,209.69
Financial Assistance Grant	286,742.75
Other Developer Contributions	167,043.79
Trade Waste Debtors Control	147,616.49
Parking Meter Charges	127,698.77
Roads to Recovery Grant	104,400.00
Disposal (Asset) Clearing A/C	100,452.04

Payments - Cheque

Cheque Payments -1,243,000.59
Cancelled Cheques 620.00
Total Cheque Payments for period -1,242,380.59

Cheque No	Cheque Date	Payee	Description	Amount
211562	11/08/2011	Bibliotheca RFID Library Systems	Radio Frequency Identification equipment	-137,417.50
211725	18/08/2011	Energy Australia	Street lighting - Jul'11	-86,926.34
211737	18/08/2011	State Debt Recovery Office	Infringement processing fees - Jul'11	-63,036.00
211797	25/08/2011	Suttons Subaru Rosebery	Fleet purchases	-40,424.00
211577	11/08/2011	Never Stop Water Harvesting	Cooper Park Stormwater Harvesting Project	-33,000.00
211779	25/08/2011	City of Sydney Council	Rates instalment - O'dea Avenue depot	-24,548.70
211497	03/08/2011	Withheld	Refund of security deposit	-20,698.62
211553	09/08/2011	Withheld	Refund of security deposit	-20,080.70
211500	03/08/2011	Withheld	Refund of security deposit	-18,238.79
211508	04/08/2011	Life & Rescue International Pty Ltd	Instal anchor/ladder entry points - various	-16,500.00

Payments - EFT

EFT Payments -3,581,313.54
Returned EFT Payments 0.00
Total EFT Payments for period -3,581,313.54

Reference	EFT Date	Payee	Description	Amount
32254	11/08/2011	Ministry for Police & Emerg Services	NSW Fire Brigade 1st qtr contribution	-617,823.27
32472	30/08/2011	StateCover Mutual Limited	W/comp deposit premium Jun'11 - Jun'12	-321,301.04
32440	25/08/2011	Local Govt Super Scheme-Div.A	Employer/employee super - Jul'11	-249,396.49
32463	25/08/2011	WSN Environmental Solutions	Garden/green waste tipping fees - 1-18/7	-161,224.03
32441	25/08/2011	Local Govt Super Scheme-Div.B	Employer/employee super - Jul'11	-153,206.26
240811	24/08/2011	Australian Taxation Office	PAYG Wk 8	-130,366.14
32398	18/08/2011	WSN Environmental Solutions	Garden/green waste tipping fees - 19-31/7	-124,421.04
310811	31/08/2011	Australian Taxation Office	PAYG Wk 9	-116,912.14
100811	10/08/2011	Australian Taxation Office	PAYG Wk 6	-115,532.14
030811	03/08/2011	Australian Taxation Office	PAYG Wk 5	-111,165.14

Payments - Direct Debits From Bank A/c

Payroll -1,899,920.44
Bank Charges -16,187.60
Investment Purchases -15,900,000.00
Councillors' fees -44,100.65
Total Direct Debits for period -17,860,208.69

-22,683,902.82

Cash Book Balance as at 31 August 2011

146,652.30

Unpresented Cheques No of Cheques: 131 Value: 272,998.75

Outstanding Deposits & Miscellaneous Items 853,291.32

Reconciled Cash Book Balance as at 31 August 2011 1,272,942.37

Bank A/c Balance as at 31 August 2011 1,272,942.37

Unpresented Cheques > \$30,000.00

Cheque No.	Cheque Date	Payee	Amount
211737	18/08/2011	State Debt Recovery Office	63,036.00

Commentary:

This statement presents Council's bank reconciliation as at 31 August 2011. The top ten receipt and payment items are provided in the report. Excluding investment transactions, receipts exceeded payments for the month by some \$7.8m, consistent with a rates instalment month.

INVESTMENTS AS AT 31 AUGUST 2011

CATEGORY		FACE VALUE \$	BOOK VALUE \$
1. LEHMAN BROTHERS (formerly Grange Securities Ltd)			
Funds previously under management		12,103,067	5,119,807
2. OAKVALE CAPITAL Limited			
Funds previously under management		6,247,114	2,059,736

RATING	CATEGORY	PURCHASE DATE	MATURITY DATE	TOTAL TERM (DAYS)	REMAINING DAYS TO MATURITY	%	FACE VALUE \$	BOOK VALUE \$	GOV'T GUARANTEE
3. WMC DIRECT INVESTMENTS									
TERM DEPOSITS: (in order of Maturity)									
AAA*	LAIKI BANK								
	TERM DEPOSIT	05/09/2010	05/09/2011	365	5	6.30	1,000,000	1,000,000	Guaranteed
AAA*	MEMBERS EQUITY BANK								
	TERM DEPOSIT	09/06/2011	07/09/2011	90	7	6.10	1,000,000	1,000,000	Guaranteed
AAA*	NSW TEACHERS CREDIT UNION								
	TERM DEPOSIT	19/05/2011	19/09/2011	123	19	6.22	1,000,000	1,000,000	Guaranteed
AAA*	VICTORIAN TEACHERS CREDIT UNION								
	TERM DEPOSIT	19/05/2011	19/09/2011	123	19	6.15	1,000,000	1,000,000	Guaranteed
AAA*	QUAY CREDIT UNION								
	TERM DEPOSIT	21/08/2011	20/09/2011	30	20	5.75	1,000,000	1,000,000	Guaranteed
AAA*	HUNTER UNITED EMPLOYEES CU								
	TERM DEPOSIT	28/07/2011	26/09/2011	60	26	5.90	1,000,000	1,000,000	Guaranteed
AAA*	BANK OF CYPRUS								
	TERM DEPOSIT	27/04/2011	26/09/2011	152	26	6.20	1,000,000	1,000,000	Guaranteed
AAA*	QUEENSLAND COUNTRY CREDIT UNION								
	TERM DEPOSIT	03/05/2011	30/09/2011	150	30	6.30	1,000,000	1,000,000	Guaranteed
AAA*	PEOPLE'S CHOICE CREDIT UNION								
	TERM DEPOSIT	31/08/2011	30/09/2011	30	30	5.69	1,000,000	1,000,000	Guaranteed
AAA*	RAILWAYS CREDIT UNION								
	TERM DEPOSIT	31/08/2011	30/09/2011	30	30	5.69	1,000,000	1,000,000	Guaranteed
AAA*	BANANA COAST CREDIT UNION								
	TERM DEPOSIT	04/04/2011	03/10/2011	182	33	6.30	1,000,000	1,000,000	Guaranteed
AAA*	POLICE CREDIT UNION SA								
	TERM DEPOSIT	03/06/2011	04/10/2011	123	34	6.10	1,000,000	1,000,000	Guaranteed
AAA*	BANK OF QLD								
	TERM DEPOSIT	09/08/2011	10/10/2011	62	40	5.85	1,000,000	1,000,000	Guaranteed
AAA*	BANKWEST								
	TERM DEPOSIT	09/08/2011	10/10/2011	62	40	5.85	1,000,000	1,000,000	Guaranteed
AAA*	BIG SKY CREDIT UNION								
	TERM DEPOSIT	09/08/2011	10/10/2011	62	40	5.85	1,000,000	1,000,000	Guaranteed
AAA*	QANTAS STAFF CREDIT UNION								
	TERM DEPOSIT	09/08/2011	10/10/2011	62	40	5.85	1,000,000	1,000,000	Guaranteed
AAA*	SUNCORP-METWAY LTD								
	TERM DEPOSIT	09/08/2011	10/10/2011	62	40	5.85	1,000,000	1,000,000	Guaranteed
AAA*	MY STATE FINANCIAL CU								
	TERM DEPOSIT	11/07/2011	10/10/2011	91	40	6.05	1,000,000	1,000,000	Guaranteed
AAA*	INVESTEC AUSTRALIA LTD								
	TERM DEPOSIT	26/11/2009	12/10/2011	685	42	6.61	1,000,000	1,000,000	Guaranteed
AAA*	ELDERS RURAL BANK								
	TERM DEPOSIT	24/11/2009	24/11/2011	730	85	6.60	1,000,000	1,000,000	Guaranteed
AAA*	BENDIGO ADELAIDE BANK								
	TERM DEPOSIT	31/05/2011	28/11/2011	181	89	6.20	1,000,000	1,000,000	Guaranteed
AAA*	POLICE & NURSES CREDIT UNION								
	TERM DEPOSIT	31/05/2011	28/11/2011	181	89	6.25	1,000,000	1,000,000	Guaranteed
AAA*	CREDIT UNION AUSTRALIA								
	TERM DEPOSIT	31/05/2011	28/11/2011	181	89	6.27	1,000,000	1,000,000	Guaranteed
AA	COMMONWEALTH BANK								
	TERM DEPOSIT	16/12/2008	16/12/2011	1095	107	6.03	1,000,000	1,000,000	
AAA*	RABO DIRECT								
	TERM DEPOSIT	01/03/2011	01/03/2012	366	183	6.60	1,000,000	1,000,000	Guaranteed
AAA*	ING DIRECT								
	TERM DEPOSIT	28/02/2011	28/02/2013	731	547	6.74	1,000,000	1,000,000	Guaranteed
AT CALL:									
AA	COMMONWEALTH BANK								
	ONLINE SAVER A/C					4.75	4,799,933	4,799,933	1st \$1m Gteed
AAA*	AMP BANK								
	CASH MNGMT ACCT	11/06/2009				4.75	999,995	999,995	Guaranteed
Total WMC Direct Investments							31,799,928	31,799,928	
Weighted Average Days to Maturity of WMC Direct Investments					67.31				
Weighted Average Return of WMC Direct Investments						6.13			
% Government Guarantee of WMC Direct Investments									78%
PORTFOLIO TOTALS							50,150,110	38,979,472	

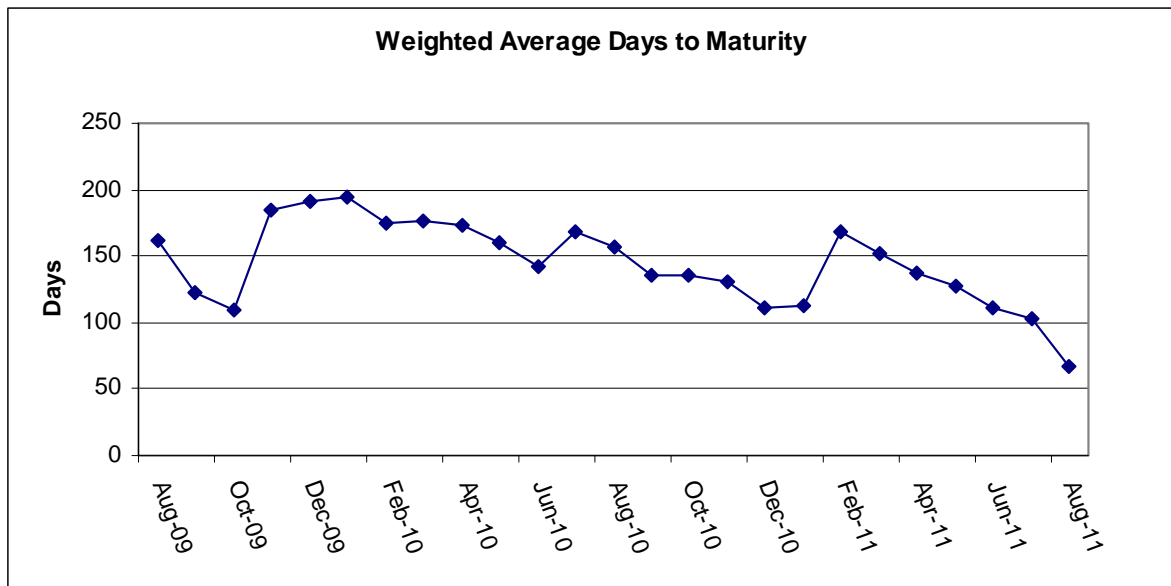
* Government Guaranteed deposits have been rated AAA

I hereby certify that the above investments have been made in accordance with Section 625 of the Local Government Act 1993, Clause 212 of the Local Government (General) Regulation 2005 and Council's investment policy.

D. Johnston
MANAGER FINANCE

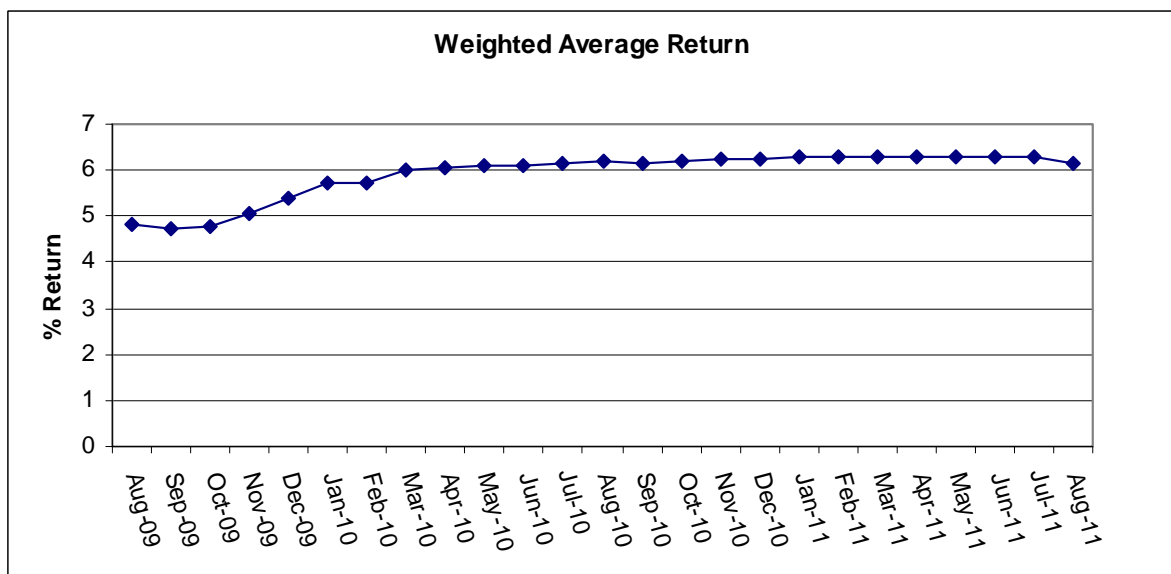
INVESTMENTS PORTFOLIO AS AT 31 August 2011							
Security	Classification	Purchase Date	Final Maturity Date	Face Value (FV)	Total Purchase Price	Current Book Value	Notes
1. LEHMAN BROTHERS (formerly GRANGE SECURITIES)							
Issued by non-ADIs							
Lehman Global Property Note	Other	13/06/2007	15/06/2009	60,000	60,000	0	1
Magnolia (Flinders AA)	CDO	08/06/2007	20/03/2012	500,000	513,670	0	1
Helium (Esperance AA+)	CDO	04/07/2007	20/03/2013	500,000	501,565	0	1
Zircon (Merimbula AA)	CDO	06/06/2007	20/06/2013	250,000	250,000	100,000	1
Corsair (Torquay AA)	CDO	04/07/2007	20/06/2013	500,000	501,860	0	1
Start (Blue Gum AA-)	CDO	08/01/2007	22/06/2013	400,000	402,768	0	1
Corsair (Kakadu AA)	CDO	22/01/2007	20/03/2014	500,000	503,300	0	1
Helium (Scarborough AA)	CDO	17/01/2007	23/06/2014	400,000	402,620	0	1
Helium (Scarborough AA)	CDO	04/07/2007	23/06/2014	500,000	502,270	0	1
Helium (Scarborough AA)	CDO	23/07/2007	23/06/2014	500,000	503,310	0	1
Zircon (Coolangatta AA)	CDO	20/03/2007	20/09/2014	500,000	500,000	200,000	1
Beryl (AAA Global Bank Note)	Other	03/04/2007	20/09/2014	100,000	100,000	60,000	1
Zircon (Coolangatta AA)	CDO	04/07/2007	20/09/2014	500,000	501,430	200,000	1
Beryl (AAA Global Bank Note)	Other	04/07/2007	20/09/2014	350,000	350,917	210,000	1
Aphex (Glenelg AA-)	CDO	10/01/2007	22/12/2014	500,000	501,960	0	1
Aphex (Glenelg AA-)	CDO	04/07/2007	22/12/2014	500,000	501,405	0	1
MAS6-7 (Parkes IIA 'AA-')	CDO	13/06/2007	20/06/2015	450,000	461,687	0	1
MAS6-7 (Parkes IIA 'AA-')	CDO	04/07/2007	20/06/2015	500,000	504,315	0	1
Zircon (Miami AA)	CDO	16/04/2007	20/03/2017	50,000	50,137	20,000	1
				7,560,000	7,613,714	790,000	
Issued by ADIs							
			Call Date				
Royal Bank of Scotland (AA)	FRN	04/07/2007	28/10/2009	500,000	508,290	442,385	2
HSBC FRN (AA-)	FRN	07/02/2007	22/09/2011	500,000	505,470	499,435	2
CBA FRN (AA)	FRN	19/01/2007	28/09/2011	500,000	503,640	499,175	2
CBA FRN (AA)	FRN	31/01/2007	28/09/2011	500,000	504,785	499,175	2
CBA FRN (AA)	FRN	04/07/2007	28/09/2011	500,000	502,360	499,175	2
Westpac FR Sub Debt (AA)	FRN	07/02/2007	24/01/2012	500,000	501,590	497,205	2
Royal Bank of Scotland (AA)	FRN	31/01/2007	17/02/2012	1,000,000	1,014,560	852,110	2
Adelaide Bank FRN (BBB+)	FRN	04/07/2007	28/03/2012	500,000	501,445	498,080	2
				4,500,000	4,542,140	4,286,740	
Macquarie Cash Trust (AAA)	Cash			2,161	2,161	2,161	5
UBS Cash Management Trust	Cash			40,906	40,906	40,906	5
				43,067	43,067	43,067	
Total Lehman Brothers				12,103,067	12,198,921	5,119,807	
2. OAKVALE CAPITAL							
Emeral Reverse Mortgage Series 2007-1 Class B	Mortgage Backed	06/07/2007	06/07/2011	1,000,000	1,000,000	450,000	1
Momentum (Calyon Nickel) Credit Linked Note	CDO	15/05/2007	30/06/2012	1,000,000	1,000,000	0	3
Aramis (Merrill Lynch) Clear 40 - ABS	CDO	02/04/2007	20/12/2012	1,000,000	1,000,000	0	3
Blackrock (Merrill Lynch) Diversified Credit Fund	Managed Fund	05/01/2007		3,247,114	3,247,114	1,609,736	4
Total Oakvale Capital				6,247,114	6,247,114	2,059,736	

Security	Classification	Purchase Date	Final Maturity Date	Face Value (FV)	Total Purchase Price	Current Book Value	Notes
3. WMC INVESTMENTS							
Laiki Bank (6.30% 365d)	TD	05/09/2010	05/09/2011	1,000,000	1,000,000	1,000,000	5
Members Equity Bank Pty Ltd (6.10% 90d)	TD	09/06/2011	07/09/2011	1,000,000	1,000,000	1,000,000	5
NSW Teachers CU (6.22% 123d)	TD	19/05/2011	19/09/2011	1,000,000	1,000,000	1,000,000	5
People's Choice CU (5.69% 30d)	TD	31/08/2011	30/09/2011	1,000,000	1,000,000	1,000,000	5
Railways CU (5.69% 30d)	TD	31/08/2011	30/09/2011	1,000,000	1,000,000	1,000,000	5
Victorian Teachers CU (6.15% 123d)	TD	19/05/2011	19/09/2011	1,000,000	1,000,000	1,000,000	5
Quay CU (5.75% 30d)	TD	21/08/2011	20/09/2011	1,000,000	1,000,000	1,000,000	5
Hunter United Employees CU (5.90% 60d)	TD	28/07/2011	26/09/2011	1,000,000	1,000,000	1,000,000	5
Bank of Cyprus (6.20% 152d)	TD	27/04/2011	26/09/2011	1,000,000	1,000,000	1,000,000	5
Qld Country Credit Union (6.3% 153d)	TD	03/05/2011	30/09/2011	1,000,000	1,000,000	1,000,000	5
Banana Coast CU (6.30% 182d)	TD	04/04/2011	03/10/2011	1,000,000	1,000,000	1,000,000	5
Police Credit Union SA (6.10% 123d)	TD	03/06/2011	04/10/2011	1,000,000	1,000,000	1,000,000	5
My State Financial CU (6.05% 91d)	TD	11/07/2011	10/10/2011	1,000,000	1,000,000	1,000,000	5
Bank of Qld (5.85% 62d)	TD	09/08/2011	10/10/2011	1,000,000	1,000,000	1,000,000	5
Bankwest (5.85% 62d)	TD	09/08/2011	10/10/2011	1,000,000	1,000,000	1,000,000	5
Big Sky CU (5.85% 62d)	TD	09/08/2011	10/10/2011	1,000,000	1,000,000	1,000,000	5
Qantas Staff CU (5.85% 62d)	TD	09/08/2011	10/10/2011	1,000,000	1,000,000	1,000,000	5
Suncorp-Metway Ltd (5.85% 62d)	TD	09/08/2011	10/10/2011	1,000,000	1,000,000	1,000,000	5
Investec Bank (6.61% 685d)	TD	26/11/2009	12/10/2011	1,000,000	1,000,000	1,000,000	5
Elders Rural Bank (6.6% 730d)	TD	24/11/2009	24/11/2011	1,000,000	1,000,000	1,000,000	5
Bendigo Adelaide Bank (6.2% 181d)	TD	31/05/2011	28/11/2011	1,000,000	1,000,000	1,000,000	5
Police & Nurses Credit Society (6.25% 181d)	TD	31/05/2011	28/11/2011	1,000,000	1,000,000	1,000,000	5
Credit Union Australia (6.27% 181d)	TD	31/05/2011	28/11/2011	1,000,000	1,000,000	1,000,000	5
CBA TCD (90day BBSW + 1.6% - 3yrs)	TD	16/12/2008	16/12/2011	1,000,000	1,000,000	1,000,000	5
RaboDirect (6.60% 366d)	TD	01/03/2011	01/03/2012	1,000,000	1,000,000	1,000,000	5
ING Direct (6.74% 731d)	TD	28/02/2011	28/02/2013	1,000,000	1,000,000	1,000,000	5
AMP Cash Management Account	Cash	16/06/2009		999,995	999,995	999,995	5
CBA Online Saver	Cash			4,799,933	4,799,933	4,799,933	5
Total Direct Investments				31,799,928	31,799,928	31,799,928	
Total Portfolio				50,150,110	50,245,963	38,979,472	
PORTFOLIO SUMMARISED BY CLASSIFICATION							
CDO				9,050,000	9,102,797	520,000	
FRN				4,500,000	4,542,140	4,286,740	
Mortgage Backed				1,000,000	1,000,000	450,000	
Managed Fund				3,247,114	3,247,114	1,609,736	
TD				26,000,000	26,000,000	26,000,000	
Cash				5,842,996	5,842,996	5,842,996	
Other				510,000	510,917	270,000	
				50,150,110	50,245,963	38,979,472	
1. Book Value (Fair Value) as at 30 June 2011							
2. Mark-to-Market Valuation 30 June 2011							
3. Defaulted							
4. Current Value. Fund Closed - Assets being sold and repaid							
5. Face value of deposit / bank bill							
CDO - Collateralised Debt Obligation	CDOs are constructed from a portfolio of assets. These assets are divided by the issuer into different tranches: senior tranches (rated AAA), mezzanine tranches (AA to BB), and equity tranches (unrated). Losses are applied in reverse order of seniority and so junior tranches offer higher coupons (interest rates) to compensate for the added default risk.						
FRN - Floating Rate Note	Floating rate notes (FRNs) are bonds that have a variable coupon, equal to a money market reference rate, plus a spread. The spread is a rate that remains constant. Almost all FRNs have quarterly coupons, i.e. they pay out interest every three months.						
Managed Fund	Managed Funds are a way of investing money with other people to participate in a wider range of investments than those feasible for most individual investors, and to share the costs of doing so.						
Mortgage Backed Security	A mortgage-backed security is an asset-backed security whose cash flows are backed by the principal and interest payments of a set of mortgage loans. Payments are typically made monthly over the lifetime of the underlying loans.						
Term Deposit	Term Deposit is a money deposit at an approved deposit taking (ADI) institution for a fixed term at a fixed interest rate. When the term is over it can be withdrawn or it can be held for another term.						



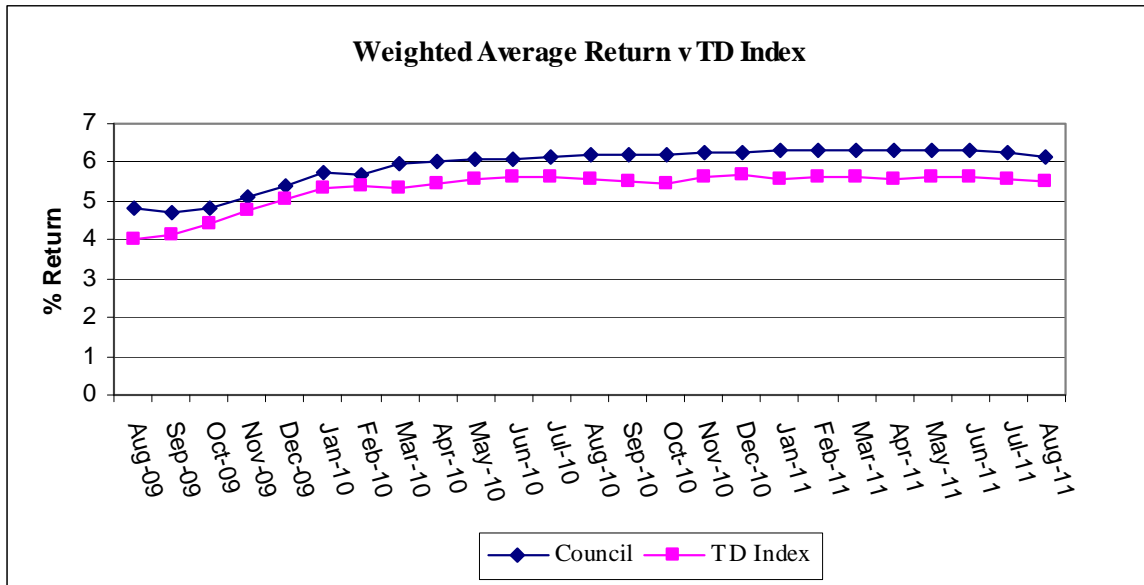
Commentary:

The weighted average is trending downwards as the term deposits progress toward maturity. It is also impacted by keeping investment maturities at close to the Government Guarantee review date in October.



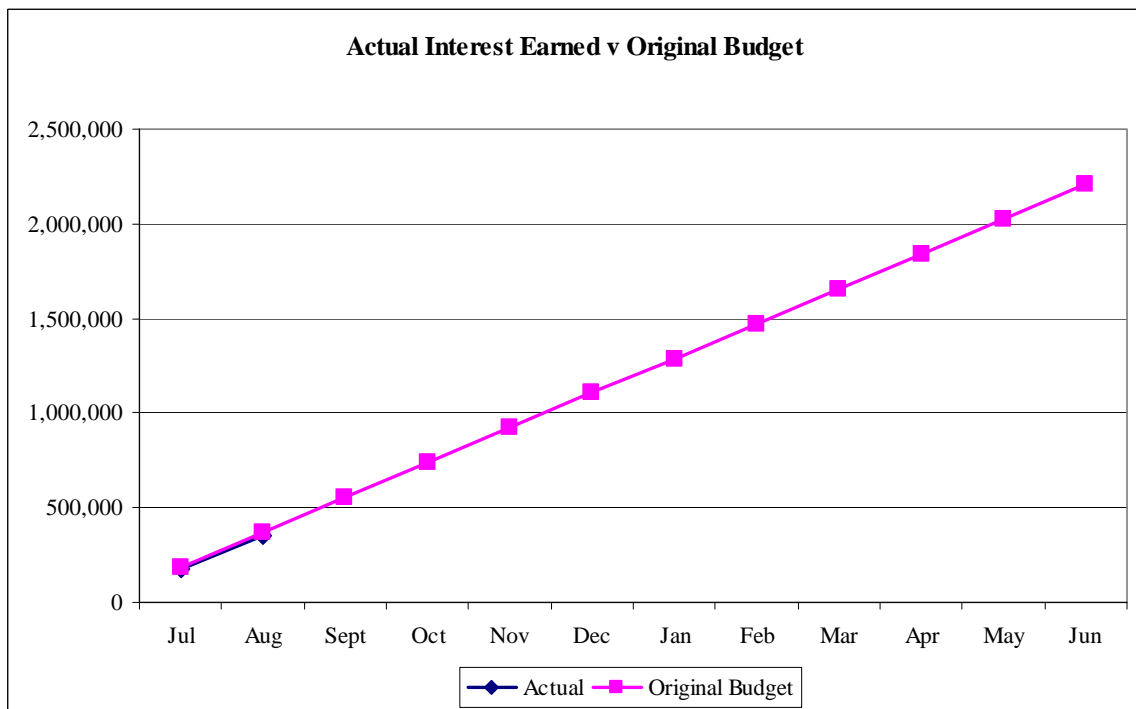
Commentary:

There was little variation in the interest rates of the maturing investments and the re-investment of term deposits. The weighted average return effectively remained unchanged from July.



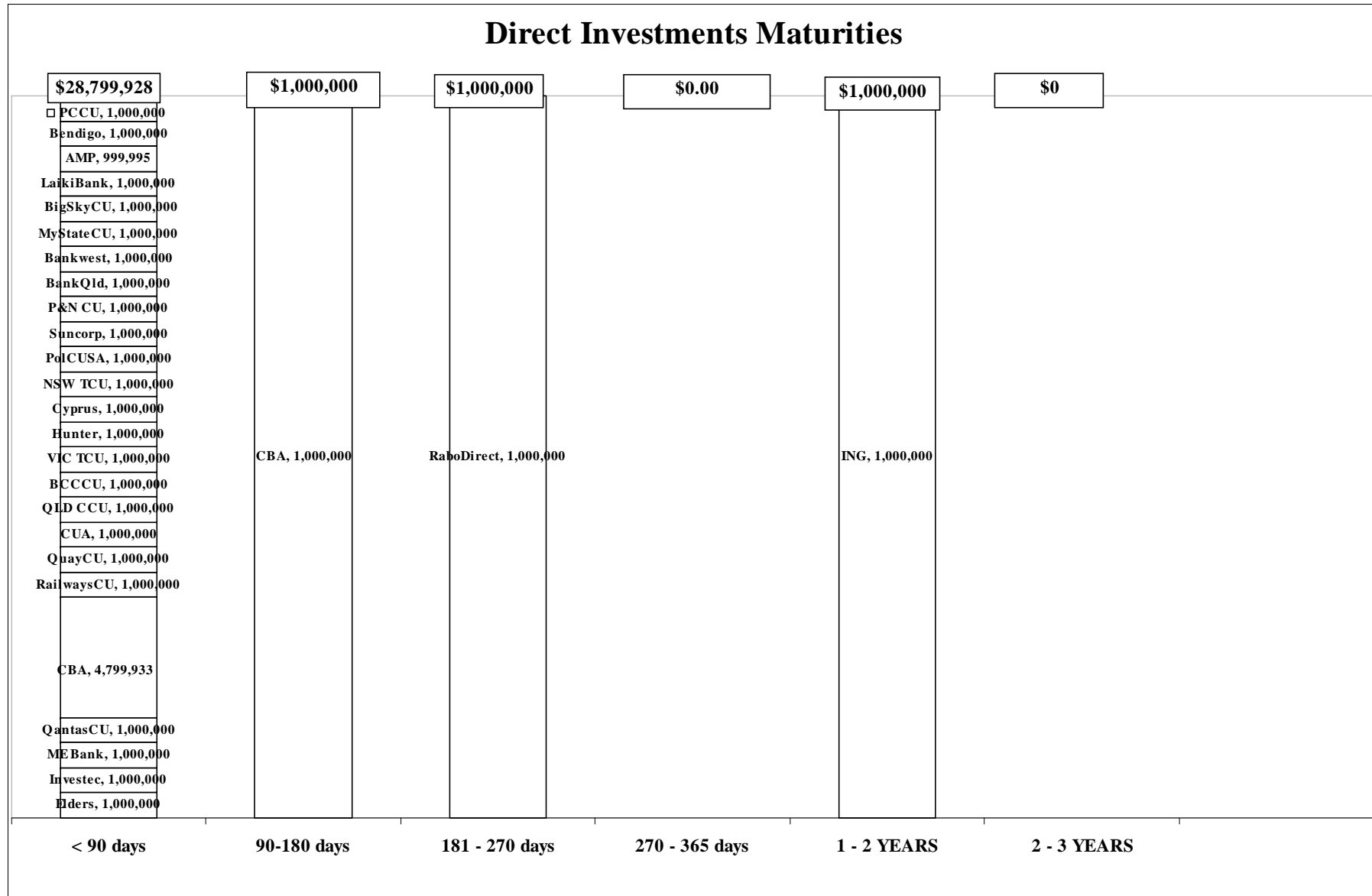
Commentary:

This chart tracks Council’s weighted average return on its direct investment portfolio against a 90 day bank bill index. As Council’s portfolio has become more weighted toward 90 day term deposits as illustrated in the Weighted Average Days to Maturity chart above, the margin Council is achieving above the 90 day term deposit index has contracted. The small margin effectively remained unchanged for August.



Commentary:

This chart tracks the Council’s budgeted interest revenue on investments against actual accrued interest to date. Accrued interest for the month of August was slightly below budget, hidden behind the ‘Original Budget’ line above.



Commentary:

The chart reflects Council's position of generally rolling short term investments.

Movements in Book Value of Investments

Formerly managed by Lehman Brothers

Date	Description	Securities	Cash (Macq Trust)	Grove	Total
				Portfolio Online/UBS Cash Management Trust	
01/07/2011		6,076,210.00	2,152.64	6,015.29	6,084,377.93
08/07/2011	Blackrock cash distribution (all interest) to UBS account			32,381.86	6,116,759.79
11/07/2011	Withdrawal - UBS Cash Management Account			(36,000.00)	6,080,759.79
14/07/2011	UBS Fee - Jun'11 qtr management fee			(532.64)	6,080,227.15
26/07/2011	Maturity of St George FRN	(1,000,000.00)		1,000,000.00	6,080,227.15
26/07/2011	FV Adjustment (BV @ maturity \$999,470)	530.00			6,080,757.15
27/07/2011	Withdrawal - UBS Cash Management Account			(1,000,000.00)	5,080,757.15
Various	July Coupons			26,293.15	5,107,050.30
Various	Macquarie Cash Management Account - interest (net)		8.68		5,107,058.98
15/08/2011	UBS Fee - Sep'11 qtr management fee			(517.99)	5,106,540.99
Various	August Coupons			13,266.40	5,119,807.39
		5,076,740.00	2,161.32	40,906.07	

Formerly managed by Oakvale Capital

Date	Description	Securities	Blackrock Managed Fund	Total
				Book Value
01/07/2011		450,000.00	1,609,736.39	2,059,736.39
		450,000.00	1,609,736.39	

Commentary:

The table above details any movements in Council's portfolio formerly managed by Lehman Brothers and Oakvale Capital. It typically includes the maturity or sale of securities, quarterly coupon payments and fair value (market) adjustments. It will also include small payments of interest earned on Council's cash management accounts and the deduction of fees associated with Council's current safe custody arrangements.

Council received all expected coupon payments for the month of August.

Don Johnston
Manager Finance

Stephen Dunshea
Director Corporate Services

Annexures:

Nil.

Item No: D3 Delegated to Committee
Subject: **25 Wentworth Road, Vacluse - Proposed Road Closure And Sale**
Author: Anthony Sheedy, Property Officer
File No: 489.25
Reason for Report: To give consideration to the closure and subsequent sale of road reserve portion adjoining the property.

Recommendation:

- A. That the proposal to close and sell a portion of road reserve adjoining 25 Wentworth Road, Vacluse be advertised and notified to adjoining properties.
- B. That a further report be submitted, following part A above.

Background:

The Corporate and Works Committee considered this matter on 29 August 2011, where it was resolved:

That the site be inspected prior to the Corporate and Works Committee meeting of 12 September 2011.

Pursuant to DA 58/2010/1 consent condition C.5 Council has received a request from the owner of 25 Wentworth Road, Vacluse to purchase a rectangular shaped section of Wentworth Road reserve which adjoins their property (Annexure 1).

The subject land is shown on the attached Architectural plan drawing DA03 (Annexure 1). This unmade road reserve area is an estimated 220 square metres in size, and is made up of that area bound by the proposed extension of the side boundary alignment through to the footpath.

The road reserve contains an existing encroaching structure of No 25, being an elevated car parking area. The owner also wants to construct an additional elevated driveway for a new double garage, new elevated pedestrian access, and garden landscaping.

Engineering Services staff have inspected the subject land and advised that there is no objection to the proposal to close and purchase this portion of road, subject to the following conditions:

1. Care should be taken to avoid Council storm water pipe
2. A strip of at least 1.8m being left for public footpath along the entire frontage
3. Other utility services being relocated or given easements if found on site

The owner accepts the conditions of Council's Engineering Services department as stated above.

The owner has also agreed to pay all Council's costs in connection with the purchase of the subject road reserve portion.

Conclusion:

Should the Corporate and Works Committee agree to proceed with this proposal following inspection, it is recommended that in the first instance the proposal be advertised and notified to adjoining property owners.

Anthony Sheedy
Property Officer

Zubin Marolia
Manager Property & Projects

Tom O'Hanlon
Director, Technical Services

ANNEXURES:

1. Copy of report to Corporate and Works Committee meeting of 29 August 2011

Item No: D4 Recommendation to Council
Subject: **9 Burrabirra Avenue Vacluse – Road Reserve Encroachment**
Author: Anthony Sheedy
File No: 68.9
Reason for Report: To give consideration to the formalisation of an existing encroachment by granting of an easement to permit existing structure to remain on road reserve adjoining the property.

Recommendation:

- A. That the encroachment on the road reserve adjoining 9 Burrabirra Avenue Vacluse, be formalised by the granting of an Easement to Permit Existing Structure to Remain for the life of the building, or the redevelopment of the site, or the redevelopment of the structure, whichever occurs first, subject to payment of easement compensation and all Council's costs by the owners of 9 Burrabirra Avenue Vacluse, to Council.
- B. That a registered valuer be instructed to determine the easement compensation payable to Council for accepting the easement burden.
- C. That a further report be submitted to the Committee subject to completion of (B).

Background:

The owners of 9 Burrabirra Avenue Vacluse, made application to Council to carry out renovations to their existing residential dwelling. Consent condition H.14 of the development consent DA262/2010/1 stated that the owners must enter into a legal agreement to allow the encroachment on the road reserve adjoining their property to remain. The consent further stated "The granting of the easement is subject to Councillor approval. The easement in favour of the adjoining owner may be granted by the Council under S181 of the Conveyancing Act 1919, and is registered on the Road Title".

This encroachment is a rectangular shaped area of about 36 square metres on the road reserve adjoining the property comprising a retaining wall and garden landscaping. On 12 July 2010 a formal application was received together with the prescribed administration fee.

A report was prepared for Council on 22 August 2011 where Council resolved the following;

That consideration of the matter be deferred to enable notification of the proposal to be provided to adjoining property owners and for an on-site meeting to be arranged for members of the Corporate and Works Committee.

Accordingly, Council's Property staff have scheduled a site inspection to take place at 5:15 pm on Monday 12 September 2011 prior to further consideration of the proposal at the Corporate and Works Committee meeting that evening.

Proposed Easement.

Council's legal advice is that in accordance with the Roads Act, 1993 leases may be granted only in respect of structures which may be easily demolished, or areas of roadway without structures built on them.

Those structures not easily demolished e.g. large retaining walls and fences over 600mm high, Council's Policy provides for the granting of an Easement to Permit Existing Structures to Remain for the life of the building, or the redevelopment of the site, or the redevelopment of the structure, whichever occurs first, subject to payment of easement compensation and all Council's costs, being paid by the adjoining property owners.

The structure on the road reserve which currently forms the encroachment at 9 Burrabirra Avenue is shown on the attached sketch plan (Annexure 1) and the photo (Annexure 2). The exact size of the encroachment will be determined by detailed survey.

Monetary compensation is payable to Council for granting an Easement in favour of the adjoining owner for encroaching structures. The easement compensation amount is determined by a registered Valuer, and this together with all Council's costs including the required survey plans, valuation and legal fees are payable by the adjoining property owner.

Conclusion:

It is recommended that the encroachment adjoining 9 Burrabirra Avenue Vacluse, along the road reserve, be formalised by granting of an easement permitting the encroachments to remain for the life of the building, or the redevelopment of the site, or the redevelopment of the structure, whichever occurs first, subject to payment of easement compensation as determined by the registered Valuer, together with all Council's costs in this matter being payable by the owners of 9 Burrabirra Avenue, Vacluse.

It is also recommended that a further report be submitted to Council following receipt of the easement compensation valuation from the registered Valuer appointed by Council.

Anthony Sheedy
Property Officer

Zubin Marolia
Manager Property and Projects

Tom O'Hanlon
Director, Technical Services

ANNEXURES:

1. Plan showing existing encroachments.
2. Site photo of existing encroachments on 9 Burrabirra Avenue, Vacluse.

Item No: R1 Recommendation to Council
Subject: **Hire of Plant and Tipping Truck Services Tender 11/03**
Author: Coordinator Civil Works and Infrastructure – Daniel Jones
File No: Tender 11/03
Reason for Report: To recommend to Council the acceptance of a tender

Recommendation

- A. That Woollahra Municipal Council enters into a contract under Clause 178 of the Local Government (General) Regulation 2005 with Neil A Giblett and Bennett Excavations for a period of 2 years with an option for extensions of a further 1 year each for the supply of Plant Hire and Tipping Truck Services.
- B. That successful and unsuccessful tenderers be advised of the outcome of the tender process.
-

Background

Council uses plant and truck hire services regularly across Civil Operations, Open Space and Trees and Business Centres departments to supplement our operations.

Expenditure on the hire of plant and tipping truck services for the 2010/11 financial year was approximately \$200,000.

In order to comply with Section 55 of the Local Government Act and Local Government (General) Regulation 2005 open tenders were invited for the hire of plant and tipping truck services. The tender provided Council with the option to select one or a panel of contractors based on a schedule of rates and other selection criteria, for the following plant and truck services:

- Excavators (2, 3, 5 and 8 Tonne)
- Bogie Tipper (12 and 25 Tonne)
- Bobcat Skid Steer
- Tandem Steel Drum Roller

Invitation to Tender

Public tenders were advertised in the Sydney Morning Herald on 8 March 2011 and the Wentworth Courier on 9 March 2011 for the hire of plant and tipping truck services for a period of two years with the option to extend for a further twelve months.

Tenders closed at 2.30pm on Thursday 31 March 2011. A total of seven tenders were received prior to the closing date and time.

All tenders received by the closing date and time are listed in Table 1:

Tenderer
Active Tipper Hire Pty Ltd
AMS Excavations Pty Ltd
Bennet Excavations Pty Ltd
Hew Group Pty Ltd
Lion Earthworks Pty Ltd
Neil A. Giblett
Peaty Excavations

Tender Assessment

The tender assessment panel comprised Dave Byatt, as the convenor and independent member of the tender panel, Ben Phillips Trainee Engineer as the Commissioning Officer, Daniel Jones Coordinator Civil Works as the Project Superintendent

Council has resolved that a probity adviser should be included during the tender assessment stage for high risk, high value or sensitive projects. This project was deemed not to require a probity adviser.

Prior to the closing date, on 1 March 2011 the tender panel agreed on the weightings that would be used against the advertised selection criteria.

The tenders were assessed in accordance with the selection criteria stated in the tender documents. Clarification was sought on matters that were found to be unclear or incomplete in one or more tenders. All tenderers were offered the opportunity to provide clarification in writing on these matters.

The tenders were given a preliminary score on each item of the selection criteria, which resulted in a total score out of 100. Tenderers were ranked in accordance with their scores.

Referees were contacted and their opinions sought on previous works carried out.

Table 2 shows the scores and rankings of all tenders considered.

	Tenderer	Demonstrated Experience (15)	Resources Capacity (15)	Management Systems (15)	Organisational Structure (15)	Schedule Rates (40)	Total Scores (100)
1	Neil A. Giblett	13.75	15.00	7.50	7.50	38.05	81.80
2	Bennett Excavations	12.50	11.25	11.25	11.25	35.52	81.77
3	Lion Earthworks	10.00	11.25	11.25	7.50	36.61	76.61
4	AMS Excavations	11.25	9.38	11.25	3.75	37.51	73.14
5	Active Tipper	12.50	7.50	3.75	7.50	38.85	70.10
6	Peaty Excavations	10.00	9.38	7.50	7.50	33.75	68.13
7	Hew Group	10.00	7.50	11.25	3.75	34.10	66.60

Demonstrated Experience:

Tenderers were assessed on their size and value of past contracts, the type of past work completed and references. Tenderers who had demonstrated specialist or extensive experience in similar or greater value contracts were scored higher than those with less experience or lower value work.

Resources & Capabilities:

Tenderers were assessed on the availability of qualified staff, and plant and equipment availability. Those tenderers who managed the operations with more staff and plant resources available scored higher.

Management Systems:

Tenderers were assessed on their OH&S and Environmental compliance. Tenderers who addressed each item in the relevant section and had a documented OH&S management system were scored higher.

Organisational Structure:

Tenderers who demonstrated appropriate qualifications, skills and experience as well as an excellent track record in previous similar sized tenders were scored higher.

Price/ schedule of rates

Tenderers provided a rate for each item of plant and tipping trucks that they have available for hire. The lowest tendered rate for each item of plant or truck received the highest score, with all other prices ranked accordingly using the formula (lowest price/tendered price) x 4). The total price score is the average price score for all the items of plant and trucks provided for each tenderer. The rates submitted and pricing score for each tenderer is attached as Annexure 1.

Assessment of highest ranked tenderers

Neil Giblet was assessed as the second highest ranked tenderer for the non-price scoring criteria, and was the highest ranked tenderer for the price category, and tendered for all items of plant. He has good demonstrated experience, and has adequate resources and capabilities. Neil Giblet provided very competitive prices for the items offered.

While other tenderers offered a higher level of capability in relation to Management and Organisational Structure, the panel was satisfied that Neil Giblet demonstrated acceptable level in relation to the works to be undertaken. It is anticipated that most works under this tender arrangement will be under direct supervision of the project superintendent or other Council representatives.

Bennett Excavations Pty Ltd scored well on price criteria for those items of plant he tendered for but it is noted that they did not tender for four of the eight items offered. Bennett Excavations Pty. Ltd. provided a high level of demonstrated experience, adequate resources and capabilities, superior OH&S and Environmental control systems and good qualifications and skills.

The tenderers ranked between third and seventh provided limited information in one or more categories, and were subsequently scored lower than tenderers who provided more thorough documentation. The panel had concerns with these tenderers experience, capacity to undertake the works and their OH&S capabilities. It was noted that there was not a significant price difference between the highest and lowest ranked tenderers the hourly rates provided for each item tendered.

Identification of Expenditure

Council's operational budget for the Civil Operations, Open Space and Trees and Business Centres will be used to fund all works provided under this tender.

Tender Assessment Panel Opinion

It is the view of the panel that the Neil A Giblet and Bennett Excavation provide the best overall result for Council. Their tendered schedule of rates are sustainable for the period of the contract and they both have the necessary experience, resources and management systems to rank them superior to the other tenders.

The tender panel are satisfied that Neil A Giblet and Bennett Excavation have demonstrated that they are capable of providing a high level service to a standard acceptable to the Council and the community.

It is the view of the tender panel that engaging both the first and second ranked tenderers as a panel of preferred suppliers provides Council greater flexibility to meet its operational requirements.

It is proposed that the tenderer hired for each particular job be the best value provider subject to availability and urgency of the work to be undertaken.

Conclusion:

That Woollahra Municipal Council enters into a contract with Neil A Giblet and Bennett Excavations for a period of 2 years with an option for extensions of a further 1 year each for the Supply of Plant Hire and Tipping Truck Services

Daniel Jones
Coordinator – Civil Operations

Jake Matuzic
Acting Director – Technical Services

Item No: R2 Recommendation to Council
Subject: **Public Interest Disclosures Act - Internal Reporting Policy and Internal Reporting System**
Author: Les Windle - Manager Governance
File No: 1032.G
Reason for Report: To advise Council of changes to the Public Interest Disclosures Act 1994 and to recommend adoption of a revised Internal Reporting Policy and Internal Reporting System

Recommendation:

That the Public Interest Disclosures Internal Reporting Policy and Internal Reporting System be adopted.

Background:

The *Protected Disclosures Act 1994* introduced requirements for Council to have a reporting mechanism for dealing with and encouraging staff and Councillors to report, in the public interest, corrupt conduct, maladministration and serious and substantial waste in the public sector and to be able to do so without fear of reprisal. The *Protected Disclosures Act* is commonly referred to as the 'Whistleblower's Act'. Council's current Protected Disclosures Policy and Internal Reporting System complies with the *Protected Disclosures Act* requirements.

On 3 March 2011 various amendments to the *Protected Disclosures Act* were proclaimed. Amongst other changes the Act was renamed the *Public Interest Disclosures Act 1994* (PID Act). The amendments come into effect in three stages, namely on proclamation, 1 July 2011 and 1 January 2012.

In addition to the above, the Public Interest Disclosures Amendment Bill 2011, currently before Parliament, proposes further changes to the PID Act and the changes relative to Council, in relation to both the Act and the Bill, have been included in this report and the proposed new internal reporting policy and reporting system. These changes include:

- replacing the term "protected disclosure" with "public interest disclosure"
- requiring public interest disclosure policies to include a requirement that a person who makes a public interest disclosure is to receive, within 45 days of the person making the disclosure, a copy of the policy and an acknowledgement of the receipt of the disclosure. Under the former Protected Disclosures Act there was no requirement to provide written acknowledgement of a disclosure.
- expanding the matters in respect of which public interest disclosures may be made to the Division of Local Government in relation to local government matters. The new matters are allegations of corrupt conduct, maladministration, government information contraventions and local government pecuniary interest contraventions. Presently only disclosures relating to serious and substantial waste of local government money can be externally reported to the Division
- requiring any evidence of retribution in relation to a protected disclosure to be referred to the Commissioner of Police or the Independent Commission Against Corruption. Presently the requirement is to refer any evidence to the Director of Public Prosecutions

Should the Bill not proceed or proceed with amendments relative to Council's legislative responsibilities a further report will be submitted to the Committee.

Changes from on 3 March 2011 (proclamation date)

Public interest disclosures are now able to be made internally as well as to the NSW Information Commissioner about a failure to properly fulfil functions under the *Government Information (Public Access) Act 2009* (the GIPA Act) - these are known under the PID Act as "government information contraventions". Therefore from March 2011 there are four types of conduct defined under the PID Act that public interest disclosures can be made about, those being corrupt conduct, maladministration, serious and substantial waste and government information contraventions.

Changes from 1 July 2011

Public authorities must have a policy and procedure in place for receiving, assessing and dealing with public interest disclosures with 3 months from the commencement of this change. Therefore Council must prepare an internal reporting policy and procedure in line with the PID Act requirements and have it formally adopted by Council by 1 October 2011.

The NSW Ombudsman now has a statutory "Oversight" role of the PID Act. That role includes preparing guidelines for the procedures of public authorities for receiving, assessing and dealing with public interest disclosures and allows for the Ombudsman to prepare a model internal reporting policy. The Ombudsman published a "Model Internal Reporting Policy for Local Government" in June and Council must have regard to the Ombudsman's guidelines and model policy when formulating its own policy and procedure.

The threshold test for protection of disclosures has also changed. A disclosure will be protected by the PID Act if it is information that the person making it "honestly believes, on reasonable grounds, shows or tends to show" one of the types of conduct that disclosures can be made about. The threshold was previously set more narrowly at information which "shows or tends to show".

Individual contractors engaged by a public authority are now also included in the new definition of a public official who can make a protected disclosure or be the subject of a protected disclosure. Other individuals having public official functions or acting in a public official capacity are also included in the definition of public official and accordingly volunteers are now covered by the public interest disclosures system.

Other changes include:

- new criminal and civil penalties have been introduced for any person taking retribution action against someone who has made a protected disclosure or against a person who they mistakenly believe has made a protected disclosure
- any evidence of retribution in relation to a protected disclosure must be referred to the Commissioner of Police or the Independent Commission Against Corruption
- a public authority can no longer decline to investigate a public interest disclosure on the basis that it was made frivolously or vexatiously. The PID Act now only refers to false and misleading disclosures, the making of which is now a criminal offence.

Changes from 1 January 2012

Public authorities will be required to prepare an annual report on their compliance with the PID Act and provide a copy of the Annual Report to the Ombudsman. The information to be collected and the form in which it needs to be reported will be outlined in a new Regulation which is in the process of being developed and will be gazetted by 1 January 2012.

Proposal:

Council's internal reporting policy and internal reporting system has been reviewed in line with the amended *Public Interest Disclosures Act* and Ombudsman's guidelines and model internal reporting policy for local government and is submitted for adoption.

Conclusion:

The *Protected Disclosures Act 1994* has been amended and renamed the *Public Interest Disclosures Act 1994* and requires Council to prepare an internal reporting policy and procedure for dealing with and encouraging staff to report, in the public interest, corrupt conduct, maladministration and serious and substantial waste in the public sector and to be able to do so without fear of reprisal.

The attached Public Interest Disclosures Internal Reporting Policy and Internal Reporting System has been prepared in accordance with the PID legislative requirements and has had regard for the NSW Ombudsman's guidelines and model internal reporting policy for local government. There is no requirement for the Policy and Reporting System to be placed on public exhibition prior to adoption.

It is recommended that the Public Interest Disclosures Internal Reporting Policy and Internal Reporting System by adopted.

Les Windle
Manager Governance

Stephen Dunshea
Director Corporate Services

Annexures:

1. Public Interest Disclosures Internal Reporting Policy and Internal Reporting System

**POLITICAL DONATIONS DECISION MAKING FLOWCHART
FOR THE INFORMATION OF COUNCILLORS**

