



general
purpose
committee

3
section

organisation
and
resources

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Item: **75****ITEM: 75** **Monthly Financial Report - August 2003****FILE NUMBER:** GF011/005/FNC/OGI30NAX.F05**REPORT:**

Summarised below, are particulars of both the income received and the expenditure incurred by Council for the month of August 2003. This information has been reconciled between the cashbook and the bank statement balance as at the end of August 2003. All expenditure is fully supported by vouchers and invoices which have been duly certified.

Cash Book (General Ledger) Reconciliation - August 2003

Opening Balance as at 1 August 2003	(\$1,512,477.47)
Add Receipts for the Month	\$15,298,838.44
Less Payments for the Month	(\$12,220,842.67)
Closing Balance as at end of August 2003	<u>\$1,565,518.30</u>

Bank Statement Balance - August 2003

Statement Balance as at end of August 2003	\$535,613.26
Less Unpresented Cheques	(\$202,186.24)
Add Outstanding Deposits	<u>\$1,295,092.43</u>
	\$1,628,519.45
Adjustment: Statement entries not yet posted to GL	(\$63,001.15)
Equal balance as per Cash Book	<u>\$1,565,518.30</u>

Commentary

The above reconciliations reflect the cashflow for August 2003. Receipts include rate payments, fees and charges, grant payments and matured investments. Expenditure for the month typically consists of payments to contractors, employee salaries, purchase of stores and materials and lease/loan repayments.

The bank account balance may vary significantly from the cashbook balance. The difference is made

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up of unpresented cheques, outstanding deposits and bank statement entries that have not yet been recorded in the general ledger.

Cash management procedures are in place that ensure adequate funds are available to meet daily expenditure obligations. Active cash management minimises the risk of Council's bank account going into an overdraft situation.

Any surplus funds are invested so as to maximise interest earnings.

Investments - August 2003

The Local Government (Financial Management) Regulation requires that each month, details of all money that has been invested under section 625 of the Local Government Act, 1993 be reported to a meeting of Council.

The following table outlines the investment portfolio held by Council as at the end of August 2003. All investments have been made in accordance with the Act, Regulations and Council's Investment Policy.

August 2003

Investment Type	Balance Brought Forward	Deposits	Withdrawals	Interest Added to Investment	Balance End of Month
Managed Funds	\$17,001,182.27			\$67,941.80	\$17,069,124.07
On Call Funds	\$700,000.00	\$8,080,000.00	(\$4,280,000.00)		\$4,500,000.00
Term Investments	\$1,235,000.00				\$1,235,000.00
Rolling Investments	\$6,693,304.77	\$1,000,000.00		\$17,694.53	\$7,710,999.30
TOTAL	\$25,629,487.04	\$9,080,000.00	(\$4,280,000.00)	\$85,636.33	\$30,515,123.37

Investment Commentary

Managed Fund performance exceeded the benchmark index for the month of August. Official cash interest rates continue to be on hold (Currently at 4.75%).

The investment portfolio is diversified across a number of investment types. This includes a number of managed funds, term deposits, rolling rate investments, floating rate notes and on-call accounts.

The investment portfolio is regularly reviewed in order to maximise investment performance and minimise risk. Comparisons are made between existing investments with available products that are not part of Council's portfolio. Independent advice is sought on new investment opportunities.

Geoff Banting
Responsible Accounting Officer

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RECOMMENDATION:

That the information be received.

ATTACHMENTS:

There are no supporting documents for this report.

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Item: **76****ITEM: 76** **Outstanding Receivables - Arrears of Rates and Charges 2002/2003****FILE NUMBER:** 107/FNC/OGI30NAX.F10**REPORT:****Outstanding Rates and Charges**

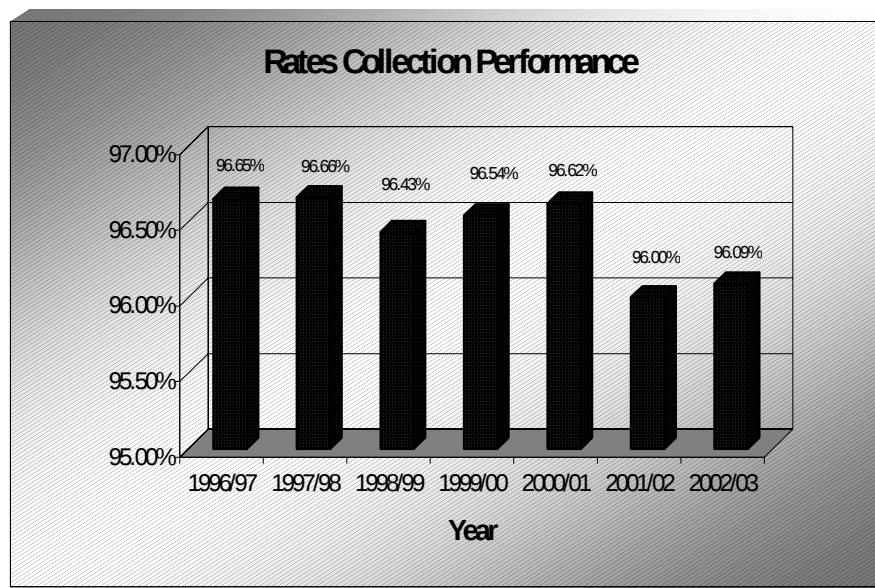
Detailed below is a summary of the outstanding rates and charges as at 30 June 2003.

Charge Type	Amount
Rates Residential	\$581,372.62
Rates Business	\$39,970.25
Rates Farmland	\$9,455.86
Environmental Stormwater Charge	\$27,215.36
Garbage Residential	\$167,855.59
Garbage Business	\$10,377.24
Interest & Legal Costs	\$55,799.90
Sewer Residential	\$80,448.54
Sewer Business	\$5,572.93
Sullage	\$155,872.82
Rates Credit Balances	-\$75,885.79
Net Arrears	\$1,058,055.32
Add Postponed Rates	\$69,690.59
Gross Arrears	\$1,127,745.91

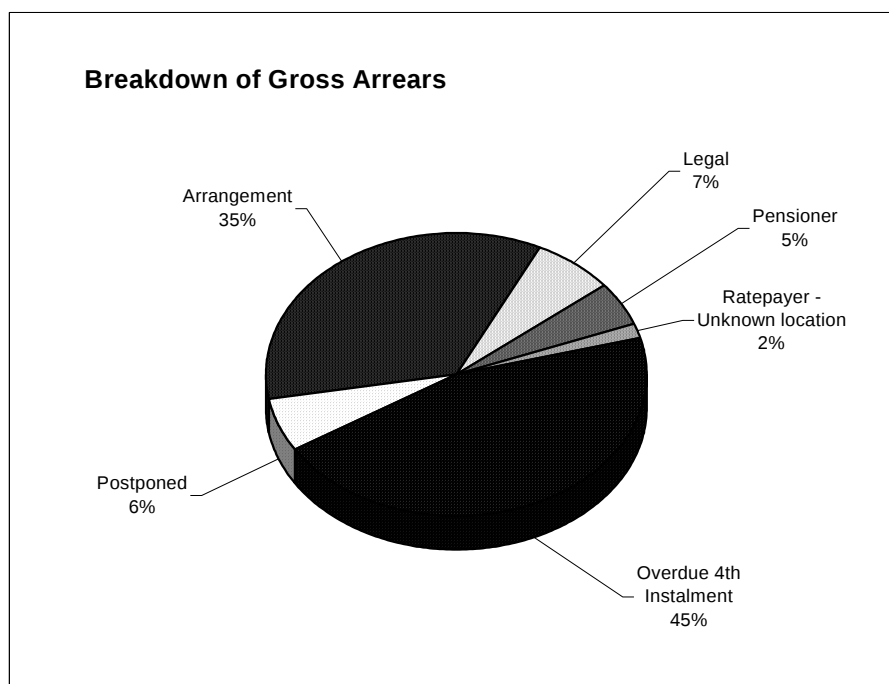
Collection Performance

The rates and charges levied in 2002/2003 combined with the gross arrears brought forward from 2001/2002 resulted in a total collectable amount of \$28,860,205.26 (twenty eight million, eight hundred and sixty thousand, two hundred and five dollars and twenty six cents).

For 2002/2003 total collections of \$27,732,459.35 (twenty seven million, seven hundred and thirty two thousand, four hundred and fifty nine dollars and thirty five cents) were received. This resulted in a collection performance of 96.09% (ninety six point zero nine). Collection performance over the past 7 (seven) years has been maintained at a relatively constant rate, as depicted in the following graph.



The outstanding rates and charges are accounted for as follows:



Abandonment of Receivables

Rates and Charges totalling \$35,121.74 (thirty five thousand, one hundred and twenty one dollars and seventy four cents) were abandoned during the year as a result of postponed rates write offs, changes in rating classification, waste service abandonments, removal of incorrect interest charges and legal costs and end of year small balance write offs. Provision for the writing-off of these amounts is contained in the Local Government Act, 1993.

In addition to the above rates and charges, other receivables totalling \$4,393.00 (four thousand, three hundred and ninety three dollars) have proved irrecoverable either at law, economically or otherwise and are now recommended for abandonment.

Delegation has previously been granted for the Responsible Accounting Officer to approve the abandonment of debts below \$500.00 (five hundred dollars). Any debts over this amount may be written off only by resolution of the council. Debts which were written off under delegated authority totalled \$2,382.75 (two thousand, three hundred and eighty two dollars and seventy five cents).

A schedule will be tabled providing details of the receivables for 2002/2003 totalling \$2,008.50 (two thousand and eight dollars and fifty cents) requiring a resolution of Council for abandonment.

RECOMMENDATION:

That:

1. The report on the outstanding receivables and arrears of Rates and Charges for 2002/2003 be received.
2. Rate and Charges totalling \$35,131.74 (thirty five thousand, one hundred and twenty one dollars and seventy four cents) be abandoned against the 2002/2003 rating year in accordance with the Local Government Act, 1993
3. The abandonment of other receivables totalling \$2,384.50 (two thousand, three hundred and eighty four dollars and fifty cents) under delegated authority to the Responsible Accounting Officer be noted.
4. Other receivables totalling \$2,008.50 (two thousand and eight dollars and fifty cents) requiring a resolution of Council be written off in accordance with the Local Government (Financial Management) Regulation, 1993

ATTACHMENTS:

AT-1 Schedule of other receivables submitted for abandonment.

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AT1 - Schedule of other receivables submitted for abandonment

oooO END OF ITEM 76 Oooo

ITEM: 77**Social Plan Regulation - Required Documentation****FILE NUMBER:**

79341, 80231/CSV/OGI30NBX.C12

REPORT:

This report has been prepared to inform Council of the social planning requirements as prescribed by the NSW Local Government (General) Amendment (Community and Social Plans) Regulation 1998 and to seek Councils approval to release documents, which have been prepared in compliance with this Regulation. To expedite the release of these documents it is recommended that this approval be given by Council sitting as a Committee of the Whole.

The Social Plan Regulation requires all NSW Local Government Councils to develop a social/community plan at least once every 5 (five) years. Council has recently received advice that it will be required to submit a 'new' social/community plan to the Department of Local Government by 30 November 2004.

In response to the introduction of the 1998 Social Plan Regulation, Hawkesbury City Council devised and implemented an annual community planning cycle - the Hawkesbury Community Planning Strategy. The Strategy required Council to prepare 2 (two) core planning documents - a demographic profile (the Hawkesbury Social Atlas) and a needs analysis (the Hawkesbury Community Survey) - to assist Council to consult with community groups to prepare, on an annual basis, a list of recommended actions for improving or maintaining community well-being.

Under Council's social planning approach, Council staff are also required to prepare on a yearly basis, 2 (two) 'operational' social planning documents - the Community Needs Report (which summarises the outcomes of annual consultations held with community groups to identify and prioritise recommended actions to be considered by Council for inclusion in its Management Plan); and the Hawkesbury Social Plan (which outlines the recommended actions that Council will be pursuing in the coming financial year to improve or maintain the quality of life of residents, and reports on status of the recommended actions which Council had committed itself to implement over the previous financial year).

Within this framework, the focus of Council's social planning process has seen the development of an annual community planning cycle rather than the production of a stand alone planning document. The community planning cycle provides for significant community input into the drafting of an annual social 'business' plan for each financial year and facilitates the integration of social planning within Council's Management Planning Process.

Council staff have finalised the preparation of the Hawkesbury Social Plan for the 2003-2004 financial year. This document lists the 205 (two hundred and five) recommended actions (including the 44 (forty four) recommendations documented in The Community Needs Report 2003-2004) that Council will be implementing over the coming year to maintain and improve community well being. It also reports back on the status of the 189 (one hundred and eighty nine) recommended actions outlined in the previous years Social Plan.

The Hawkesbury Social Plan 2003-2004 is the third annual social plan to be prepared by Council

within the current social planning cycle (as prescribed by the Social Plan Regulation). To meet the requirement to submit a new social plan by November 2004, it will be necessary for Council to update the core planning documents - the Social Atlas and the Community Survey - which it first produced in 2000.

Council staff have completed the update of the Hawkesbury Social Atlas 2000 to produce a 2003 version of this document. The Hawkesbury Social Atlas 2003 contains a comprehensive demographic profile of the people who live in the Hawkesbury and their economic and social circumstances. The 2003 document is a significant improvement on the 2000 Social Atlas and is now ready to be released.

The updating of the Community Survey will commence later this year when Council staff will draft and distribute a 2003 version of the Hawkesbury Household Survey - to be randomly distributed to 2000 households across the Hawkesbury - and will commence negotiations with community advisory committees to identify strategies for consulting with different population groups. The survey and consultations will record the emerging needs and changing concerns of residents and will be published in the Hawkesbury Community Survey 2004.

The Hawkesbury Social Plan 2003-2004 provides a formal record of Council's commitment to promoting an inclusive and just community. It is a key component of Council's annual accountability to the community and to the Department of Local Government in meeting the requirements of the Social Plan Regulation. The release of the Hawkesbury Social Atlas 2003 will enable Council to begin the development of a planning framework for the continued implementation of Council's annual community planning cycle over the next 5 (five) years.

RECOMMENDATION:

That Council exercising its delegation as Committee of the Whole:

1. Receive the Hawkesbury Social Plan 2003-2004 and place the plan on public exhibition for a period of 28 (twenty eight) days to provide the opportunity for residents and community groups to comment on the plan.
2. Receive and release the Hawkesbury Social Atlas 2003

ATTACHMENTS:

AT-1 The Hawkesbury Social Plan 2003-2004 (to be distributed separately)

AT-2 The Hawkesbury Social Atlas 2003 (to be distributed separately)

oooO END OF ITEM 77 Oooo

ITEM: 78 **Richmond Golf Club Funding Request****FILE NUMBER:** 38630/CSV/OGI30NBX.C07**REPORT:**

Correspondence has been received from the General Manager of the Richmond Golf Club regarding a request for funding to assist the club in the cost of the construction of a brickwall to replace the wire fence at the front entrance to the club.

The General Manager of the Richmond Golf Club, Mr Slym, feels that a club so steeped in history as the Richmond Golf Club, certainly deserves a better presentation more in keeping with the fact that it is the oldest golf course in the State of New South Wales. The wire fence at the front entrance does not offer that better presentation. The club's board has asked that he make representation as to whether funding would be available from Council to assist with the cost of this work, or consider a one off reduction in the clubs annual lease rental payment, allowing those funds to be directed towards the construction cost of the brick wall.

The current annual lease rental is \$30,000 (thirty thousand dollars). The Richmond Golf Club have made previous representation to Council requesting that this lease payment be reduced to allow the club to spend more funds on capital improvements. On previous occasions Council has denied their requests.

In more recent times, Hawkesbury District Tennis Association has approached Council with a similar request. On that occasion, Council resolved to grant Hawkesbury District Tennis Association an interest free loan over a ten year period. It may be prudent to offer the same opportunity to the Richmond Golf Club to allow them to carry out the construction of the brickwall to the front entrance of the club.

RECOMMENDATION:

That:

1. Council advise the Richmond Golf Club's Board that it is prepared to offer an interest free loan of up to \$30,000 (thirty thousand dollars) to the club for the purpose of the construction costs of a brickwall to replace the current wire fence at the front entrance to the club.
2. The interest free loan period be offered of up to a maximum of 10 (ten) years.
3. All necessary documentation be executed under the common seal of Council.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF ITEM 78 Oooo

ITEM: 79 Request to hold Twilight Markets**FILE NUMBER:** 107/CSV/OGI30NBX.C11**REPORT:**

A request has been received from Windsor Mall Craft Group Incorporated regarding the possibility of holding twilight markets on Saturday 29 November and Friday 12 December, 2003 from 4.00pm to 9.00pm on both evenings. Within their request they have stated that they have received some very positive and encouraging feedback from shop keepers regarding the twilight market proposal.

The concerns that Council may like to consider are those associated with traffic and the safety of the pedestrians as holding the twilight markets would require the set up of the markets to take place while the Windsor Mall shops are still operating. If the twilight markets were allowed to go ahead, the Windsor Mall Craft Group Incorporated would need to carry out a risk assessment of the area where the motor vehicles would be driven to unload goods associated with the markets and would be required to secure the area ensuring that public safety was paramount.

Before a decision is made on whether to allow the twilight markets to proceed, it may be more prudent for Council to notify all shop keepers in the Windsor Mall area, via a mail out, asking for feedback as to whether they would like to see the twilight markets held.

As a decision on this matter will need to be made as soon as possible to allow Windsor Mall Craft Group Incorporated time to make appropriate arrangement and to advertise the twilight markets, it is recommended that Council exercise its delegation as a Committee of the Whole.

RECOMMENDATION:

That Council exercising its delegation as a Committee of the Whole:

1. Advise Windsor Mall Craft Group Incorporated that Council will provide a mail out to the shop keepers in the Windsor Mall area asking for their feedback as to whether they have any objections to the holding of the twilight markets on Saturday, 29 November and Friday, 12 December, 2003 between the hours of 4.00pm to 9.00pm.
2. The proposed times to hold the markets be between the hours of 5.00pm to 9.00pm.
3. The results of the mail out be reported back to the October GPC meeting.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF ITEM 79 Oooo

ITEM: 80 Rural Fire Service Estimates 2004-2005**FILE NUMBER:** GF004/001 Pt 2/CSV/OGI30NBX.C09**REPORT:**

The Rural Fire Service requires estimates for the 2004-2005 financial year to be submitted by 30 September 2003. The attached estimates have been prepared by the Fire Control Officer for Councils consideration, with the proposal recognising:

“The standard of fire cover” survey conducted by the Rural Fire Service in May 2003.

The need to continue with the plan to upgrade major equipment. It should be noted that it is now Rural Fire Service policy that no vehicle in the fleet is to be over 15 (fifteen) years old. The proposal will allow the Council to provide the brigades with the following improvements:

- (a) The replacement of three Category One heavy tankers.
- (b) The replacement of two Category Nine tankers.
- (c) Provision of an additional personnel carrier.

The recent strategic and business planning process.

Senior Council officers met with the Fire Control Officer and Deputy Fire Control Officer to review RFS estimates.

As Council is aware, last year there were some one off costs approved which have now been removed from estimates. These include:

- Fire Control Generator \$30,000
- Protective Clothing \$10,000

In addition, three other items have been reduced as follows:

- Hire of Emergency Equipment \$10,000
- Rural Fire Station \$22,000
- Changeover of M/O vehicle \$ 3,000

In regard to the Emergency Equipment, \$10,000 (ten thousand dollars) relates to costs that may not occur and reflect a contingency budget. Consistent with Council procedures, this item has been removed and if required in the course of the 2004/05 year, will be referred to Council as part of the quarterly review.

The budget provides for \$13,000 (thirteen thousand dollars) in regard to the Rural Fire Station - St Albans. Works have already been undertaken and the budget provision is required to settle the outstanding loan with the St Alban's Brigade.

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Other RFS items that have increased from last year are as follows:

- Fire Control Salaries - P/T and casual staff \$17,000
- Telephone Charges \$ 5,000
- Services \$ 5,000
- Brigade Field Day \$ 3,000

Other fire control related costs budgeted to increase include:

- Contribution to RFS - 13.3% \$13,390
- Contribution to Board of Fire Commission \$ 9,080
- Fire Control overheads \$ 9,845

In the current financial year the Council's contribution is proposed at \$961,741 (nine hundred and sixty one thousand, seven hundred and forty one dollars) with the 2004/05 proposal \$948,786 (nine hundred and forty eight thousand, seven hundred and eighty six dollars). This represents a reduction of \$12,685 (twelve thousand, six hundred and eighty five dollars) or 1.3% (one point three). Even after adjusting last years budget of \$961,471 (nine hundred and sixty one thousand, four hundred and seventy one dollars) by one off capital costs (\$40,000 (forty thousand dollars)), the 2004/05 proposal represents an increase of \$27,315 (twenty seven thousand, three hundred and fifteen dollars) or 3% (three). This is within the current year's CPI allowance (3% (three)) and Rate Pegging limit (3.6% (three point six)).

It is therefore considered reasonable to recommend the proposal to Council. Accepting this request would commit Council to this level of expenditure for the 2004/05 financial year.

RECOMMENDATION:

That:

1. The Committee exercise its delegation as Committee of the Whole.
2. The Rural Fire Service be advised of Councils decision relating to the estimates for 2004/05 of \$948,786 (nine hundred and forty eight thousand, seven hundred and eighty six dollars).

ATTACHMENTS:

AT-1 Rural Fire Estimates 2204/2005.

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AT1 - Rural Fire Estimates 2204/2005

oooO END OF ITEM 80 Oooo

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ITEM: 81 **Dedication Land for Road Purposes - 21 Johnston Street, Windsor**

FILE NUMBER: 30781/CSV/OGI30NBX.C01

REPORT:

21 Johnston Street, Windsor (currently Lot 2 in DP 788531) was purchased in 1983 for the purpose of providing laneway access to Hollands Paddock car park from Johnston Street. The lane is sealed with curb and guttering on 1 (one) side and is now used for access to the adjoining properties being 19 Johnston Street and 23-27 Johnston Street. Records indicate that the land was not dedicated as a road at the time of acquisition.

19 Johnston Street comprises of 3 (three) strata title units/town houses and 27 Johnston Street contains the Johnston Street Medical Centre.

The owners of the adjoining properties have now requested the access to their properties be formalised and guaranteed. An inspection of the site has been carried out and it is considered that it would be appropriate to dedicate the land as road by publishing notice in the Government Gazette under Section 10 of the Roads Act.

RECOMMENDATION:

That the appropriate notice to dedicate Lot 2 in Deposited Plan 788531 as road under Section 10 of the Roads Act be published in the Government Gazette.

ATTACHMENTS:

AT-1 Location Map

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AT-1 - Location Map

oooO END OF ITEM 81 Oooo

ITEM: 82 **Hawkesbury City Council -v- Elf Farm Supplies Pty Ltd and Ors -
Conduct of Mr Neville Diamond**

FILE NUMBER: 39192, 79347/EVD/OGI30NBX.V08

PREVIOUS ITEM: 23, GPC Section 3 - Organisation & Resources (25.03.2003)

REPORT:

This matter was considered by Council at its Ordinary meeting of 9 September 2003 when it was resolved that it be deferred to this meeting. The previous report is reproduced below.

The following background information is provided with reference to an incident which occurred in the Land and Environment Court on 18 August 2003 when Mr Neville Diamond made inappropriate remarks to and about a Council officer in the presence of a number of members of the public.

At the Ordinary Meeting of 8 April 2003 it was resolved that:

- “1. A. *Mr Diamond be restricted to a 1 (one) hour interview with Council’s Public Officer or representative per week with an appointment being made at a reasonable time prior to his arrival.*
- B. *Any such limitations cannot impede the statutory rights of the public to information (e.g. under the Freedom of Information Act, the Local Government Act or the Environmental Planning and Assessment Act.)*
2. *This determination is reviewable after 3(three) months by the General Manager and, if refused, referred to Council.”*

The determination has subsequently been reviewed by the Acting General Manager, in consultation with other professional staff, and refused.

The recommendation of 8 April 2003 was based on a report which outlined Council’s obligations and limitations in this regard which were published in June 2000 by the NSW Ombudsman. The following information is again provided as additional information.

6. *Options for Councils - limiting access*
- 6.1 *Putting limitations in their proper context*

Councils are entitled to expect that members of the public will fulfil their responsibilities as outlined in part 4 of these guidelines. If these responsibilities are not fulfilled, then it is legitimate for a council to consider putting appropriate limits on what kinds of service and what types of communication that will be available.

However, there are eight critical matters that must be considered by councils considering imposing such limitations.

1. *In the absence of compelling reasons to the contrary, members of the public are entitled to seek advice and assistance and utilise the services and facilities provided by their Council.*
2. *Complaints and criticism are legitimate and potentially constructive aspects of the relationship between a council and its local community. They are a valuable means of reflecting on the operations of the council and improving both those operations and the quality of the council's relationship with the local community.*
3. *Anger is an understandable and, to some degree, an acceptable emotion on the part of members, of the local community frustrated with the actual or perceived misconduct or inaction of the council. It is an emotion that needs to be properly managed so that effective service can be delivered, communication can take place and council staff members and council facilities are not put at risk. It is unacceptable to unconditionally deprive any member of the local community of the right to have their complaints and concerns examined or to use the services and facilities provided by the council.*
4. *Before applying limitations, the council should be prepared to try alternatives, like seeing whether different (generally more senior) officers are able to deal with the person in question.*
5. *In all but the most serious of cases, limits on access and use of services and facilities should be applied only following a warning to the person that limits will be applied unless the specified unacceptable behaviour ceases.*
6. *When framing reports and recommendations regarding the imposition of limits, councils should ensure that staff avoid inflaming matters by using defamatory or otherwise derogatory language.*
7. *The council should specify in writing the limits that have been imposed and the reasons for their imposition.*
8. *The council should be prepared to have any limitations it has imposed reviewed by the general manager or the elected council on application by the person on whom the limitations are imposed after a reasonable period (such as three months). This creates an incentive to address the problematic behaviour.*

Applying limitations on contact requires tact, discretion, flexibility and common sense. Each situation needs to be considered separately, in light of the provisions of the relevant council policy. If in doubt, discuss the general principles and the circumstances with us. However, the final decision rests with council.

Nevertheless, councils must also consider their obligation to responsibly manage their limited resources and their obligations as employers in terms of occupational health and safety. The sorts of situations giving rise to the need to consider limitations are often extremely stressful for staff. Good management of these situations contributes to a healthier workplace.

6.4 *Limiting face to face contact*

It may be appropriate for a council staff member to terminate a personal attendance where, following due warning, the person in question continues to:

- Use inappropriate language (such as strong abusive language, making threats or casting adverse personal reflections on individuals), or*
- Behave otherwise inappropriately (such as acting in an overtly aggressive or threatening manner).*

6.7 *Abusing the right to information*

On some occasions, individuals or groups place what, viewed reasonably, are excessive demands on the resources of the council in responding to continual and extensive demands for information (such as sending large numbers of letters each containing detailed requests for information). In these cases, the council may, if it is satisfied that the resource demands in responding to these contacts are excessive, place specific limits on the manner and/or degree to which it will respond to these demands.

However, any such limitations cannot impede the statutory rights of the public to information (e.g. under the Freedom of Information Act, the Local Government Act or the Environmental Planning and Assessment Act.)

Similarly, there are times when members of the community constantly raise new issues with the council despite having no significant personal interest in them nor representing any broader community interest in them. In these circumstances, the council may, if it determines that the resource demands in responding to these contacts are excessive, place specific limits on the degree to which it will respond to these communications (again, however, subject to any statutory rights to information available to the public).

With regard to the recent incident in the Land and Environment Court, Council's Solicitors have advised as follows:

"It is clearly undesirable for an officer of the Council to have his professionalism and integrity impugned in an open forum. It would be open to the Council to give consideration in the exercise of the General Manager's power, to direct that Mr Diamond be declared vexatious and that his communications with Council staff be in writing".

Mr Diamond, over many years has continually made unfounded allegations about Council staff, processes and Councillors, both verbally and in writing, and mostly without censure. No proof of any of these vexatious allegations has ever been produced and even following the incident in the Land and Environment Court, Mr Diamond still persists in his allegations.

Mr Diamond causes considerable disruption and has on some occasions displayed inappropriate behaviour towards customer service and administration staff, as well as professional staff.

Accordingly, Council's Solicitors recommendation is submitted to Council for serious consideration.

RECOMMENDATION:

That:

1. a) Mr Diamond be restricted to a 1 (one) hour interview with Council's Public Officer or representative per week with an appointment being made at a reasonable time prior to his arrival.
- b) Any such limitations cannot impede the statutory rights of the public to information (e.g. under the Freedom of Information Act, the Local Government Act or the Environmental Planning and Assessment Act.), this communication be in writing only and be made with the Public Officer
2. This determination is reviewable after 6 (six) months by the General Manager and, if refused, referred to Council.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF ITEM 82 Oooo

ITEM: 83 National Water Initiative**FILE NUMBER:** 82029/CSV/OGI30NCX.C06

REPORT:

The Deputy Prime Minister, and Leader of the National Party, Mr John Anderson, has released details of the scope of the National Water Initiative agreed to by the Council of Australian Governments (CoAG).

“In Australia, the average consumption of water per household is 250,000 litres per year. It is about 30% higher than the OECD average, even though we live on the world's driest inhabited continent”, Mr Anderson said.

“When it is finalised, the National Water Initiative will affect every single Australian whether they live in a minimalist apartment in the Sydney CBD, a suburb in a regional city, or a small community. Our lives depend on the use of staggering quantities of water, so it is critically important to every Australian. The agreement has established the principles that will underpin Australia's use of water for many years to come, including the principle of investment certainty, which is the key to better, more productive and sustainable water usage. It is as important as the decision in 1898 to add a section to the constitution about the use of the rivers, or the decision in 1949 to build the Snowy Mountains scheme,” Mr Anderson said.

Mr Anderson also wanted to emphasise that the agreement is about the scope of the National Water Initiative. He said we have come a long way, but there are still many details that need to be worked through in partnership with water users. He will be holding extensive discussions with farmers and communities over the coming days.

The National Water Initiative will include:

- Firm pathways and open processes to return over allocated surface and ground water systems to environmental sustainability. The Australian Government will contribute \$200 million (two hundred million) towards a \$500 million (five hundred million) package to underpin the sustainability of the Murray/Darling Basin.
- Perpetual access entitlements for a share of the water available for use, rather than a fixed term entitlement with no guarantee for renewal.
- A guarantee that Governments will have to compensate users for changes in their entitlements resulting from changes in Government policy.
- The development of an efficient water market structure with the widest possible geographical scope. Trading will not be restricted to catchment areas. The details of the trading system, including the development of controls to prevent speculation, have not been resolved yet and will be put together in partnership with water users over the coming months.

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- In the Murray / Darling basin, the establishment of a basin wide environmental water manager that can buy and sell water to deliver the environmental results that are needed. Water will also be provided for the environment through targeted public and private investment in infrastructure.

Council will be further advised when more details are made available.

RECOMMENDATION:

That the information be received.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF ITEM 83 Oooo

ITEM: 84 **Proposed Federal Governments Plan to cut Funding to the University of Western Sydney**

FILE NUMBER: 935/CSV/OGI30NCX.C13

REPORT:

A presentation will be held at the General Purpose Committee meeting by Deputy Vice Chancellor, Professor Rob Coombs, University of Western Sydney (UWS), and Professor Mick Wilson, Provost, UWS Richmond Campus regarding the proposed Federal Governments plan to cut funding to the UWS.

“Nine out of ten people in Western Sydney disagree with the Federal Governments plan to cut the funding according to an independent news poll survey released. This survey demonstrates that the Federal Minister for Education is out of step with the people in Sydney’s west. The Government needs to re-think its proposed funding package to give Western Sydney a better deal”, UWS Vice Chancellor, Professor Janet Reid says.

It has previously been revealed that the UWS stands to lose \$14 million (fourteen million) from its funding base by 2007 under the proposed new funding package. The minister has since pledged 4.7 million (four point seven million) in temporary funding.

“UWS would have been 27 million dollars better off in 2007 if the government had not cut our base funding and allowed Western Sydney the full funding growth contained in the package for all other universities,” Professor Reid says.

The survey found that only 5% (five percent) of Sydney residents favour students paying more for their education, 38% (thirty eight percent) says fees should remain the same, while a majority of 52% (fifty two percent) prefer reducing fees.

Professor Reid has called on the Government not to cut the university’s funding base and to give Western Sydney people the full benefit of the proposed funding package.

“It is disappointing that families in Western Sydney could have their access to higher education restricted as a result of the Governments package. UWS is the 7th largest university in Australia and serves 10 percent of Australia’s population. Only 10.5 percent of adults in the Greater Western Sydney region have a university degree compared with 20.8 percent with the rest of Sydney. Now is not the time to further deny the people of Western Sydney access to higher education.” Professor Reid says.

RECOMMENDATION:

That the information be received.

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ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF ITEM 84 Oooo