

GENERAL PURPOSE COMMITTEE

SECTION 3 ORGANISATION & RESOURCES

GENERAL PURPOSE COMMITTEE - ORGANISATION & RESOURCES**Table of Contents****Meeting Date:** 25 June 1996

Page 2

ITEM	SUBJECT	PAGE
-	SECTION 3 - ORGANISATION & RESOURCES.	
44:	COMPULSORY ACQUISITION OF CAR PARK LAND - BAKER STREET, WINDSOR. P731/140 PT06/CSV	3
45:	RICHMOND SWIMMING CENTRE SITE TP080/001 PT04/CSV	5
46:	AUSTRALIAN PIONEER VILLAGE - FINANCIAL REVIEW GC283/107 PT04/CSV	7
47:	YOUTH ART ENCOURAGEMENT AWARD - ST MONICA'S EXHIBITION GF008/001 PT13/CSV	10
48:	UPCOMING CULTURAL EVENTS GC130/032/CSV	11
49:	MONTHLY FINANCIAL STATEMENTS - MAY 1996 GF011/005 PT04/FNC	13
50:	HAWKESBURY SPORTS COUNCIL INC - TENDERS FOR MOWING CONTRACT GR030/030 PT04/FNC/FNC	17

******* END OF TABLE OF CONTENTS *******

ITEM: 44 COMPULSORY ACQUISITION OF CAR PARK LAND - BAKER STREET, WINDSOR.**FILE NUMBER:** P731/140 PT06/CSV**REPORT:**

Council will be aware, following previous reports, that the Land and Environment Court has directed that the Council proceed to acquire privately owned land being an existing Car Park located off Baker Street, Windsor, adjoining the Macquarie Arms Hotel. The subject land is owned by the company Nevitro Pty Ltd. The land is zoned 5a under the Hawkesbury Local Environment Plan 1989, and is shown as 'Parking' on that plan.

By way of history, the owner, having regard to the zoning of the land, had for many years requested the Council to consider acquiring the land, however, these requests were not consented to and the owner consequently took an action through the Land and Environment Court with the Court directing the Council acquire the subject property.

The matter has become extremely protracted, it being noted that the Court decision was handed down in 1992. However, it is also noted that the Court at the time, acknowledged that the owner was not in a position to transfer the land to Council due to legal restrictions which did not permit the Company to transfer the property. Further as previously reported, approval from the Heritage Council was required in respect of the subdivision which was required to excise the subject property and this consent took some considerable time before being issued.

The Plan of Subdivision, once approved by the Heritage Council, was referred to the Department of Local Government for the necessary consent of the Minister and Governor for the compulsory acquisition. This was subsequently received and the necessary Gazettal notices for acquisition have been prepared.

However, it has now been established that the Plan of Subdivision and proposed acquisition which covers the whole of the existing Car Park area is at variance with the strict application of the Courts direction in that the Plan refers to the whole of the existing Car Park whereas, it has now been established that the actual land zoned 'Car Park' which the Council is specifically required to acquire, is a lesser amount by an area in excess of 200m². That surplus land is, in fact, zoned 'Commercial' and owned by the same Company, Nevitro Investments Pty Ltd.

During recent discussions with the land owner and the Company's legal representatives, it was requested that Council proceed to acquire that extra area on the basis that they considered it would prejudice their interests. It is noted that this specific area is at the rear of the commercial development known as Fitzgerald House, such development fronting George Street and that car parking required for that development under the terms of Development Consent is provided within this "extra" area of land.

It is not considered appropriate for the Council to acquire such land, unless it was to be transferred at a nominal value and formally consolidated with the residue of land to be acquired. However, the Company have indicated they feel that they should be paid a commercial rate for

the land and, given all the circumstances, it is considered that it is not appropriate for the Council to enter into a negotiation on this basis. It has been indicated to Nevitoro Pty Ltd that Council would permit legal access to its land over the adjoining car park once acquired by Council.

Given the fact that it has now been established there is a variation in terms of the area to be acquired, the Department of Local Government have been advised and further approval from the Minister and Governor to the amended plan requested.

As previously reported to the Council, notwithstanding any variation to the area to be acquired, there has always been a difference in terms of the amount of compensation to be paid. Ultimately should agreement not be reached the valuation for compensation will be determined by the Valuer General and, once this has been determined, it will be further reported to Council.

RECOMMENDATION:

That the information concerning the compulsory acquisition of the car park land off Baker Street, Windsor, owned by Nevitoro Pty Ltd be received.

ATTACHMENTS:

There are no supporting documents for this report.

FN:OG625NAX.C03

****** END OF ITEM 44 ******

ITEM: 45 **RICHMOND SWIMMING CENTRE SITE****FILE NUMBER:** TP080/001 PT04/CSV**REPORT:**

This report refers to investigations being made in regard to a proposal to possibly develop part of the Richmond Swimming Centre site in East Market Street.

The site which is described as Lot 2 DP202288, has an area of approximately 24440m², is currently zoned Open Space 6(a) and classified as 'Community Land' under the terms of the Local Government Act. It is unencumbered and owned by the Council in fee simple. Generally, the overall site is under developed with improvements including two swimming pools, amenities, change room and office, storage and plant room facilities as well as shelters and seating surrounding the pools. There is significant open space within the fenced off "pool" area itself, as well as a large grassed area outside the fence adjoining Hereford Street, which presents possibilities for development opportunities for the site.

At this time, it is identified that 8,400m² of the site could be excised and made available for development. Given the location and nature of surrounding development, it is considered that the site is ideal for medium density type resident development. Preliminary plans have been prepared which indicate that up to 28 two storey townhouses could be built on the excised site subject to rezoning to Residential 2(a), reclassification from 'community' to 'operational' land and development approval being obtained. This concept plan will be displayed at the meeting. A valuation has been obtained for the site on this basis. The valuation also takes into consideration the site's location being in easy walking distance to Richmond commercial centre, particularly the proposed "Richmond Market Place", Richmond railway interchange, adjoining high school and swimming centre and being accessible to UWS-Hawkesbury.

It is suggested that expressions of interest could be invited for the sale, ground lease or joint venture development of this site, with it being noted that the Defence Housing Authority has already expressed significant interest in the site. Proceeds from the development could be utilised for other income producing opportunities, with a portion allocated to improvements within the remaining Richmond Pool Site. There may also be an opportunity to consider future management options for the pool.

RECOMMENDATION:

1. That a Plan of Subdivision be prepared for the Richmond Swimming Centre site in East Market Street, Richmond ie Lot 2 DP202288, excising an area of 8,400m² which adjoins properties fronting Hereford Street. Further, that following the preparation of the Plan of Subdivision:-
 - (i) A Local Environmental Plan be prepared to change the zoning of the newly created lot to Residential 2(a);

- (ii) A Local Environmental Plan be prepared to reclassify the newly created lot as 'operational';
 - (iii) Subject to (i) and (ii) being approved, a development application be lodged for the construction of up to 28 two storey townhouses on the site; and
 - (iv) Once all approvals are obtained, expressions of interest be invited for the sale, ground lease or joint development of the site.
2. That relevant swimming clubs/associations and The Sports Council be advised of Council's decision.

ATTACHMENTS:

There are no supporting documents for this report.

FN:OG625NBX.C01

****** END OF ITEM 45 ******

ITEM: 46 AUSTRALIAN PIONEER VILLAGE - FINANCIAL REVIEW**FILE NUMBER:** GC283/107 PT04/CSV**REPORT:**

Members will recall that at Council's General Purpose Committee Meeting on 23 April, 1996, consideration was given to a detailed report and overview concerning the general operations of the Village since the commencement of management by a Committee appointed by Council effective from 1st July, 1995.

Circulated separately at that time was a document prepared on behalf of the Village Management Committee by Mr Ken McManus, Tourism Consultant, which detailed various financial forecasts and a number of marketing and business strategies for the future in terms of the operations of the Village.

At that time, it was submitted to Council that the Management Committee had found it necessary to review its financial standing, largely because of the termination of the arrangement between the Committee and its Joint Venture Partner 'Australian Outback Connection'. Details of the dissolution of that arrangement were reported to Council.

The original operating deficit for the Committee's first year of operation was \$28,900 and this was the amount agreed to by Council as a financial subsidy towards the first year of operations. However, as a result of changes, particularly in relation to the joint venture arrangement, a revised operating deficit was identified being in the amount of a further \$27,000. Council subsequently at its meeting on the 7th May, 1996, resolved to assist Australian Pioneer Village in funding its operating deficit by a further \$27,000 on the understanding that, based on the projections presented to Council, the Committee would be in a position to repay this amount during the 1996/97 financial period with an appropriate interest rate applying.

The Chairman of Australian Pioneer Village Management Committee has now made a further submission which has been circulated separately regarding the most recent Statement of Income Expenditure for the Village's operations being for the period 1st July, 1995, to the 21st May, 1996. The document shows a current operating deficit in the order of \$68,000 which includes the initial funding granted by Council last year of \$28,900. Taking into consideration the Council's most recent decision of supporting the Committee by "carrying" it by a further \$27,000 it is clear that there is left a further deficit of \$41,000.

It will be seen from the Committee's report, separately circulated, that with the estimates of income and expenditure for June, they expect an operating surplus for that month and have also indicated that in terms of various printing and promotional costs, these will be, in part, carried forward to the next financial year on the basis of much of this material applies to that period. In summation, the Committee anticipate being able to bring back this deficit by some \$22,000 and are now asking for Council's consideration in underwriting the operating deficit for 1995/96 period by a further \$19,000.

In total the Committee are requesting Council's further support in extending the \$27,000 agreed to at the May Ordinary Meeting to a total of \$46,000.

At Council's General Purpose Committee Meeting in April, various options were reported in terms of alternatives for the Management/future of the facility. In summation these included:-

1. Supporting the Management Committee in its request for financial assistance.
2. Terminating the arrangement and inviting submissions for purchase and/or lease of the facility.
3. Terminating the arrangements and closing the facility pending a further detailed investigation as to options.
4. Advising the Committee, Council is not in a position to financially carry the deficit and suggesting that they seek external funding.
5. For Council to reassume responsibility for the operation of the facility.

Undoubtedly, there will be mixed views within the Council as to whether it should be considering any further financial support, particularly given the fact that only recently it considered a similar request from the Committee, which was confident that further assistance would not be required.

In terms of those options previously canvassed, in reality 3, 4 and 5 are not supported on the same basis as previously indicated, that is, in closing the Village, Council would incur a financial liability in terms of the ongoing maintenance that would be associated with the facility regardless of whether it is operational or not; it is unlikely the Village Committee would be in a position to achieve any external funding and in any case if it were successful the lending authority would require a mortgage to secure the debt over the property; and Council is not in the business of operating such a facility itself.

Therefore, the available options really seem to be either Council further supporting the request, **OR** giving notice to terminate and inviting expressions of interest for purchase and/or leasing of the Village.

The Management Committee have indicated that based on both known and projected future bookings and the anticipated benefits of their revised promotional and marketing strategies, that they are still confident of achieving their projected financial target of an operating surplus for the next financial year. This also takes into account repayment to the Council, with interest, of the "loan" of \$46,000 to cover its current financial dilemma. It is on this basis that the matter is presented to Council to consider further financial support on the clear understanding that if the current request is agreed to, the Committee be advised that the Council accepts the revised projections, including those for next year, and will not consider any further financial support beyond what has been resolved to date. It is understood that the Chairman of the Australian Pioneer Village Management Committee will be in attendance at the General Purpose Committee Meeting to address Council in relation to the Committee's current submission.

RECOMMENDATION:

1. That the Australian Pioneer Village Management Committee be advised that the Council is prepared to extend its current level of financial support to the Committee for a further \$19,000 (nineteen thousand dollars) thus making the 'loan' to the Committee a total of \$46,000 (forty six thousand dollars) based on the clear understanding that this amount is to be repaid, with interest, out of the operating surpluses projected for the 1996/97 period.
2. That a monthly financial report be submitted by the Committee to Council, together with advice as to the Committee's performance in relation to its Business Plan and marketing strategies.
3. That the Committee be advised that the Council is not prepared to consider any further extension of its financial support beyond that level resolved to date and in the event that the Committee is unable to achieve its projections then the Council will have to give consideration to options in terms of the future management/operation of the facility.

ATTACHMENTS:

There are no supporting documents for this report.

FN:OG625NBX.C04

****** END OF ITEM 46 ******

ITEM: 47 YOUTH ART ENCOURAGEMENT AWARD - ST MONICA'S EXHIBITION

FILE NUMBER: GF008/001 PT13/CSV

REPORT:

A request for sponsorship has been received from St Monica's Primary School, Richmond, to assist the school in co-ordinating an arts and culture initiative in October 1996.

An "Everything Artistic" exhibition is being organised by the school which will emphasise youth art in the Hawkesbury. Sponsorship is required for a number of awards for youth art, including a scholarship towards further studies for a talented young person.

It is noted that this particular project is being designed to be a major community initiative with involvement from the wider community, not just those involved with the school.

An amount of \$3000 has been requested, however, a contribution of this nature is not possible due to budgetary constraints.

RECOMMENDATION:

A donation of \$500 (five hundred dollars) be forwarded to the organisers of "Everything Artistic" to support a Youth Art Encouragement Award and that Hawkesbury City Council be acknowledged as a sponsor of this event.

ATTACHMENTS:

There are no supporting documents for this report.

FN:OG625NBX.C05

**** END OF ITEM 47 ****

ITEM: 48 UPCOMING CULTURAL EVENTS**FILE NUMBER:** GC130/032/CSV

REPORT:

It is proposed that Council stage a fine music concert in McQuade Park, Windsor, on Sunday 8 December. It is considered that such an event would balance the range of activities offered locally. In addition a request has been received to support a 'Carnivale' street parade and fair in Richmond Park in September.

Under the current cultural development program, considerable effort is being put into the development of arts-based activities within the area.

The proposed "Fruits Of The Hawkesbury" cultural festival will take place in September and October as prelude to the Wine and Food Festival. This festival will provide many opportunities for members of the local community to participate in a range of activities, including an exhibition of fibre art, a recital of choral music, and a workshop for writers.

It is also considered appropriate that the community be able to access styles of cultural activity which are not readily available locally.

It is proposed that a 'Music in the Park' event be held featuring the SBS Youth Orchestra which is an accomplished performance group comprised of young people. A number of the members of the orchestra live in this vicinity, providing opportunities for promotion as well as encouragement to other young people.

It is envisaged that the event be family-focussed, offering the opportunity for Hawkesbury families to picnic in the park and enjoy a program of fine music chosen for the occasion, along with other amusements for children.

The cost per performance is \$5,000, with attendant costs for staging, publicity and support acts/activities. This can be funded within the existing community relations budget.

A Carnivale event is being co-ordinated by a local community committee and it is proposed that a street parade and entertainment in Richmond Park be held during State-wide Carnivale celebrations in September 1996. Some funding has been sought through Carnivale and a request has been received from the organising committee for additional financial assistance to enable hire of necessary equipment, promotion, administration, and some entertainers costs. It is noted that funding will only be necessary if Carnivale funding is forthcoming. An amount of \$4,000 is requested. This amount can be accommodated through existing community festival budgetary allocations.

RECOMMENDATION:

That a 'Music In The Park' event be supported, incorporating a performance by the SBS Youth Orchestra to be staged in McQuade Park 8th December 1996.

That an allocation of \$4,000 (four thousand dollars) be made to support 'Carnivale' activities in Richmond during September as outlined in this report.

ATTACHMENTS:

There are no supporting documents for this report.

FN:OG625NBX.C06

****** END OF ITEM 48 ******

ITEM: 49 MONTHLY FINANCIAL STATEMENTS - MAY 1996

FILE NUMBER: GF011/005 PT04/FNC

REPORT:A. CASH EXPENDITURE WARRANT No. 5/1996SUMMARY - Accounts Paid

General Fund Nos.	43195 -	44122	5,625,423.90
Trust Fund Nos.	4577 -	4594	808,905.89

6,434,329.79

CERTIFICATE BY RESPONSIBLE ACCOUNTING OFFICER

This summary Warrant presented above is fully supported by Vouchers and Invoices which have been duly certified as to the receipt of goods and/or rendition of services and as to prices, computations and costings and the amounts shown were due for payment. The detailed Warrant is available upon request.

L M Weatherstone
Responsible Accounting Officer

B. STATEMENT OF BANK BALANCES AND GENERAL MANAGER'S CERTIFICATE

STATEMENT OF BANK BALANCES AS AT 31 MAY 1996

GENERAL FUND	CR. 251,949.18
TRUST FUND	CR. 94,637.07

CR. 346,586.25

FORM 2

GENERAL

Balance - Cash Account as at 1st May 1996	CR. 782,531.92
Receipts for period ended 31 May 1996	DR. 6,426,721.03

DR. 5,644,189.11

Payments for period ended 31 May 1996	CR. 5,555,475.06
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CR. 88,714.05

Limit of overdraft arranged with bank	\$800,000.00
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RESPONSIBLE ACCOUNTING OFFICER

I hereby certify that the Cash Book and Bank Statements have been reconciled in all funds as at 31 May 1996.

L M Weatherstone
Responsible Accounting Officer

C. INVESTMENTS

Hereunder is the list of amounts invested:

Bank Bills

Interest

<u>Period</u>	<u>Due Date</u>	<u>Rate</u>	<u>Interest A/C</u>	<u>Amount</u>
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Term Deposits

94 Days	26.06.96	7.58%	Sewerage Fund	2,000,000.00
120 Days	15.08.96	8.05%	General Fund	850,000.00
365 Days	26.08.96	7.63%	Sewerage Fund	2,000,000.00
181 Days	04.09.96	7.63%	Sewerage Fund	206,319.84
190 Days				
190 Days	04.09.96	7.63%	General Fund	2,293,680.16
190 Days	11.10.96	7.72%	General Fund	1,000,000.00
225 Days	05.03.97	8.00%	General Fund	2,000,000.00
371 Days	26.03.97	8.12%	General Fund	3,000,000.00
547 Days	09.05.97	8.00%	General Fund	800,000.00
547 Days	09.05.97	8.00%	General Fund	200,000.00
594 Days	25.06.97	8.00%	General Fund	1,000,000.00

Australian Treasury Corporation

04.08.97	8.45%	Workers Comp Board	950,000.00
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<u>Short Term Investments</u>	General Fund	5,795,000.00
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\$22,095,000.00

RESPONSIBLE ACCOUNTING OFFICER

I hereby certify that the investments listed above are the total of all money that have been invested and that the investments have been made in accordance with the Act, Regulations and Council's investment policies.

L M Weatherstone
Responsible Accounting Officer

RECOMMENDATION:

That the information be received.

ATTACHMENTS:

There are no supporting documents for this report.

FN:OG625NBX.F07

****** END OF ITEM 49 ******

ITEM: 50 HAWKESBURY SPORTS COUNCIL INC - TENDERS FOR MOWING CONTRACT**FILE NUMBER:** GR030/030 PT04/FNC/FNC**REPORT:**

Further to the report to the Ordinary Meeting of 11th June, 1996, the tenders received by Hawkesbury Sports Council Inc., for a contract to mow the active recreation areas, is detailed below:-

- Option 1** - All active recreation areas
Option 2 - All active recreation areas, exclusive of Richmond Ex-Servicemens Sporting Complex, Bensons Lane
Option 3 - Richmond Ex-Servicemens Sporting Complex, Bensons Lane

Tenderer	Option 1	Option 2	Option 3
Greenbelt Lawn & Garden Maintenance			13,680
Avifend Industries	78,850		
Tony Brown Pty Ltd	86,510	70,660	15,850
James Enterprises Pty Ltd	108,876	79,716	29,160
"That's One" Property Maintenance	110,656	94,696	28,880
G.D. & S.D. Hodgen	129,695	99,816	31,352
LGO Property Maintenance			134,520
Jeff Martin Property Maintenance	137,794		
Cleetondale-Lawn	144,172	106,932	41,230
Pete's Lawn & Garden Service	146,452		
Fords Lawn Service Pty Ltd		147,250	53,300
Naturelink Environmental Services			49,000
Alex Calleia			51,509
JRB Lawn Care	161,690		
McCallum Landscape Management	161,880		
Jim's Mowing	171,000		
Garden Traditions	174,420	134,520	58,330
Adbalderick Services	177,150	136,800	40,350
Gray's Grass Grooming	180,880	123,120	57,760
Scoobe Lawn Care			90,000
Lawns Loved Gardens Groomed: Complete			197,600
Lawn & Garden Service	203,200		
Pendrell Pty Ltd			217,360
Rutlama Pty Ltd	247,760	179,360	68,400
Pro-Mow Property Maintenance	335,312		
Asset Services			

Consideration of the Tenders was based upon a number of factors including staff and equipment resources, backup support for plant/equipment failure, impact of summer and winter seasons,

flexibility of operations to assist with user requirements and grounds availability and other general terms relating to the tender specifications. The Hawkesbury Sports Council Inc. has recommended the acceptance of the following tenders of;

1. Option 2 submitted by James Enterprises Pty Ltd, in the amount of \$79,716 per annum, being for Areas 1 - 4 as defined in the Tender Specification, and
2. Option 3 submitted by G.D. & S.D. Hodgen, in the amount of \$31,351.95 per annum, being Area 5 as defined in the Tender Specification.

Details of the information provided by the tenders of Greenbelt Lawn & Garden Maintenance, Avifend Industries, Tony Brown Pty Ltd and "That's One" Property Maintenance was clarified and were not recommended in that the tender was either withdrawn due to lack of understanding of the extent of the contract, the tender did not meet the specifications, the level of available resources was assessed to be inadequate to meet the schedule of mowing, or the references, when checked, was not adequately supported by the referee.

The wide range of tender amounts indicates the degree of variation in expectations of the extent of works involved. The tenderer that was appointed to a similar contract, in June, 1995 failed after the first six months operation. In January this year quotations were obtained to complete the current contract, to 30 June, 1996, with the view to increasing the contract period from one year to 2 years with a two year option, hoping to attract a better standard of contract service and operation.

The tender of James Enterprises P/L met the terms of the specification and was well supported by their referees. The company's principal office is located at Silverdale and provides general and specific purpose contracts for two other Councils as well as some commercial operations at Bankstown Airport and specific sporting organisations.

There has been significant pressure placed upon Council and Hawkesbury Sports Council to provide a curator at the Richmond Ex-Servicemens Sporting complex, Bensons Lane. This has been estimated to cost approximately \$50,000 per annum, plus the requirement to purchase plant and equipment amounting to \$25,000 to enable the task to be carried out. However, given the quality of the performance supplied by G.D. & S.D. Hodgens of North Richmond, in carrying out the mowing contract for the last six months, it was considered that the most efficient and economical option was to accept the tender of that firm to perform the major part of field maintenance function, with the Sports Council to make arrangements in relation to the other works according to needs, resources and policies. There is obviously a greater benefit to one sporting discipline to have a permanent curator, however, with the available resources it is felt that this cannot be achieved at this time.

In the submission to Council of the 1996/97 Estimates the Sports Council provided an allocation of \$100,000 for the mowing contract, \$50,000 for a curator (including an amount of \$10,000 for building maintenance), at the Richmond Ex-Servicemens Sporting Complex and \$25,000 to purchase Plant & Equipment for use on the same complex. The proposed acceptance of tenders, in aggregate, will amount to \$111,068, a saving of \$53,932 (after deducting the \$10,000 Building Maintenance).

It is felt that the recommendation is reasonable and should be supported as it offers the most appropriate options for the proposed contract.

This matter needs to be dealt with at this meeting to enable the contract to commence on 1 July 1996. The Council has delegated the power to the Committee to deal with such matters and it is suggested the Committee exercises its delegation.

RECOMMENDATION:

It is recommended that;

1. Option 2 submitted by James Enterprises Pty Ltd, in the amount of \$79,716 (seventy nine thousand seven hundred and nineteen dollars) per annum, being for Areas 1 - 4 as defined in the Tender Specification, be accepted for a period of two years, with an option of two years, and variation each year in accordance with the consumer price index for the Sydney Region, all groups, and
2. Option 3 submitted by G.D. & S.D. Hodgen, in the amount of \$31,351.95 per annum, being Area 5 as defined in the Tender Specification, be accepted for a period of two years, with an option of two years, and variation each year in accordance with the consumer price index for the Sydney Region.

ATTACHMENTS:

There are no supporting documents for this report.

FN:OG625NBX.F08

****** END OF ITEM 50 ******