general purpose committee

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section

organisation and resources

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ITEM: 53 **Monthly Financial Report - June 2003**

FILE NUMBER: GF011/005/FNC/OGG29NAX.F13

REPORT:

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

Cash Book (General Ledger) Reconciliation - June 2003

Opening Balance as at 1 June 2003	$589,726.52
Add Receipts for the Month	$5,912,590.35
Less Payments for the Month	($6,820,870.37)
Closing Balance as at end of June 2003	($318,553.50)

Bank Statement balance - June 2003

Statement Balance as at end of June 2003	$359,421.21
Less Unpresented Cheques	($861,256.02)
Add Outstanding Deposits	$184,119.31
	($317,715.50)
Adjustment: Statement entries not yet posted to GL	($838.00)
Equal balance as per Cash Book	($318,553.50)

Commentary

The above reconciliations reflect the cashflow for June 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 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 - June 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 June 2003. All investments have been made in accordance with the Act, Regulations and Council's Investment Policy.

June 2003

Investment Type	Balance Brought Forward	Deposits	Withdrawals	Interest Added to Investment	Balance End of Month
Managed Funds	$19,333,981.79			$89,587.85	$19,423,569.64
On Call Funds	$2,000,000.00	$1,500,000.00	($1,850,000.00)		$1,650,000.00
Term Investments	$1,235,000.00				$1,235,000.00
Rolling Investments	$6,658,666.39			$17,035.27	$6,675,701.66
TOTAL	$29,227,648.18	$1,500,000.00	($1,850,000.00)	$106,623.12	$28,984,271.30

Investment Commentary

Managed Fund performance exceeded the benchmark index for the month of June. For the 2002/2003 financial year, the UBSWA Bank Bill Index was 4.97%. After fees, Councils managed fund portfolio returned approximately 5.15%.

Official cash interest rates continue to be on hold (Currently at 4.75%) despite earlier expectations that rates may have been reduced.

Geoff Banting
Responsible Accounting Officer

RECOMMENDATION:

That the information be received.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF ITEM 53 Oooo

ITEM: 54 **National General Assembly of Local Government - Canberra, 23 to 26 November 2003**

FILE NUMBER: 80104,80105/CSV/OGG29NAX.C05

REPORT:

The National General Assembly of Local Government will be held in Canberra from Sunday, 23 November to Wednesday, 26 November 2003. Councillors Christine Paine and Leigh Williams have indicated that they wish to attend the Assembly.

The Association is calling for motions that address national issues for local government. Motions can seek to modify existing policy or raise new items and those adopted by the National General Assembly will be formally considered by the National Executive of the Australian Local Government Association at the meeting on Wednesday, 26 November 2003.

The Association is particularly seeking Notices of Motion in the areas of population and ageing, local government financing, environment and infrastructure. Motions must be received by the Australian Local Government Association no later than Wednesday, 1 October 2003.

The Regional Cooperation and Development Forum will precede the national General Assembly and be held on Sunday, 23 November 2003. The theme for this year's Forum is *"Population Impacts: Old Age or New Age Regions?"* and will investigate the implications for an ageing population and the effect of ageing on the fiscal position of local government.

The theme for this year's Assembly is *"Forging Our Future - Local Governance Towards 2020"* and guests speakers include Paul Kelly (Political Analyst and Contemporary Historian), The Honourable Wilson Tuckey, MP (Minister for Regional Services, Territories and Local Government), Maxine McKew (television journalist and journalist with *"The Bulletin"*) Chairing the Governance Panel, The Honourable Kevin Andrews, MP (Minister for Ageing), Senator the Honourable Amanda Vanstone (Minister for Family and Community Services), Dr Simon Longstaff (Executive Director St James Ethics Centre), The Honourable Tim Fischer (Consultant, Company Director and Multiple Patron). After the closing ceremony on Wednesday, 26 November 2003 there will be an address by the Honourable John Howard, MP, Prime Minister of Australia.

Workshops will consist of concurrent sessions on:

- An Older Australia: Challenges and Opportunities for Local Government
- Connecting Local Government
- Practical approaches to Sustainability and Natural Resource Management

- Good Governance in Action

It is recommended that Council supports the attendance of Councillors Christine Paine and Leigh Williams at the National General Assembly of Local Government to be held in Canberra from 23 to 26 November 2003, at an estimated cost of two thousand three hundred dollars ($2,300.00).

RECOMMENDATION:

That Council supports the attendance of Councillors Christine Paine and Leigh Williams at the National General Assembly of Local Government to be held in Canberra from 23 to 26 November 2003, at an estimated cost of two thousand three hundred dollars ($2,300.00).

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF ITEM 54 Oooo

ITEM: 55 **2003 Local Government Association of NSW Annual Conference in Albury**

FILE NUMBER: 79633/CSV/OGG29NAX.C03

REPORT:

The Association's Annual Conference this year is to be held from Saturday, 8 November to Wednesday, 12 November 2003, in Albury. The Association has policies in the area of Community Planning and Services, Finance and Economic Development, Fire and Emergency Services, Industrial Relations and Employment, Planning and Environment, Roads and Transport, Structure and Management, Water Services Management.

The conference program will commence at 2.00pm on Saturday, 8 November 2003, with a forum on Ecologically Sustainable Development (ESD).

Motions to be placed before the conference should seek to alter existing policy, add new elements to the policy or to delete elements of the policy. Motions seeking to vary existing policy or to address new or emerging policy issues, will be classified as Category 1 and scheduled for debate at the conference. Motions reaffirming existing policy, or calling for actions to be taken within existing policy, will be classified as Category Two. Motions in Category 2 will be included in the Conference Business Paper and may be individually brought forward to be debated with the agreement of the conference. Otherwise, they will be referred to the Executive of the Association for consideration. Where appropriate, some may even be actioned before the conference.

Councils need to submit their motions with supporting documentation by 5.00pm on Friday, 22 August 2003.

The Council is entitled to 4 (four) voting delegates and they should be elected at this meeting. The Council might also wish to indicate areas it would like to have policy matters placed on the agenda so that these can be worked up over the next three weeks.

Penrith City Council has advised that enquiries are currently being undertaken regarding filling a coach with representatives from Penrith, Hawkesbury and Campbelltown Councils, WSROC and Hawkesbury River County Council to transport delegates to and from Albury. The coach will depart for Albury on Saturday, 8 November 2003 at about 9.30am and the trip will take approximately 7 (seven) hours. The coach will pick up delegates at Windsor, Penrith and Campbelltown Councils as required. Council is obliged to submit names of delegates wishing to travel by coach to Penrith Council by mid-August 2003. As Council's share of the cost of the coach trip is worked out on the number of delegates travelling, Councillors are advised that once names are submitted and details finalised, Council will be responsible for the costs regardless of whether or not delegates travel on the coach. The coach will return on Thursday, 13 November 2003.

Councillors are advised that delegates travelling by coach will not arrive in Albury in time to attend the forum on Ecologically Sustainable Development (ESD) at 2.00pm on Saturday, 8 November 2003.

Councillors are also advised that the LGA Conference in Albury will be held at the same time as the Australian Sister Cities Association National Conference in Orange, ie 8 to 12 November 2003.

It is recommended that Council approves by the Committee as a Whole the attendance of 4 (four) Councillors at the Local Government Association Annual Conference in Albury from Saturday, 8 November to Wednesday, 12 November 2003.

RECOMMENDATION:

That:

1. The Committee exercise its delegation as Committee of the Whole.

2. Council elect 4 (four) voting delegates and other Councillors to attend the Local Government Association Annual Conference in Albury from Saturday, 8 November to Wednesday, 12 November 2003.

3. Council delegates state whether or not they wish to travel to/from Albury by coach .

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF ITEM 55 Oooo

ITEM: 56 **Australian Regional Tourism Convention**

FILE NUMBER: 107, 74339/CSV/OGG29NAX.C15

REPORT:

The Australian Regional Tourism Convention will be held in Hobart, Tasmania, from Wednesday, 3 September to Saturday, 6 September 2003. Councillors Dianne Finch and Glenys Gilling have indicated that they wish to attend the convention.

The convention will include discussions on business development and best ways to grow business linked with natural attractions. Agenda items include networks and clusters to better manage communication, themed marketing opportunities, data collection and locating and matching appropriate markets for products and services. Discussions will also include community development and encouragement for effective regional development by putting value back into regional communities. Other items include how individuals, regional tourism and government agencies work together to satisfy the needs of communities and ensure quality visitor experiences.

Guest speakers will include Peter Wright of Macquarie Bank, Graham Perry of See Australia Limited, Dr Dianne Dredge, David Bobberman of Norfolk Jet, Linus Bagley, Wayne Kayler-Thomson of Tourism Victoria, Dr Anne Hardy of University of Tasmania, Lee Brady of Desert Tracks and Fiona Richards of Canberra Tourism and Events Corporation.

It is recommended that Council approves by the Committee as a Whole the attendance of Councillors Dianne Finch and Glenys Gilling at the Australian Regional Tourism Convention to be held in Hobart from 3 to 6 September 2003, at an estimated cost of $2,000 (two thousand dollars).

RECOMMENDATION:

That:

1. The Committee exercise its delegation as Committee of the Whole.

2. Council approves the attendance of Councillors Dianne Finch and Glenys Gilling at the Australian Regional Tourism Convention to be held in Hobart from 3 to 6 September 2003, at an estimated cost of $2,000.00 (two thousand dollars).

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF ITEM 56 Oooo

ITEM: 57 **2003 Australian Sister Cities Association National Conference in Orange, 8 to 12 November 2003**

FILE NUMBER: 83119/CSV/OGG29NAX.C04

REPORT:

The Australian Sister Cities Association Conference is to be held this year in Orange from 8 to 12 November 2003. This year's program is quite significant recognising the 40th anniversary of the first sister city relationship between Australia and Japan. A special program is being developed on Sunday, 9 November 2003 and activities on that day will have a special Australian and Japanese focus. Councillor Sheather has indicated that he wishes to attend the conference and is a delegate on the Hawkesbury Sister City Association.

Sister City relationships were established with Temple City, California in 1983 and Tamba, Japan, in 1998. Over the years a close relationship has developed between the Sister Cities and Hawkesbury which has been beneficial, particularly to our younger generation, in understanding the different cultures of the two countries. Councillor Sheather has been a member of the Hawkesbury Sister City Association for 16 (sixteen) years and has spent a considerable amount of his own time in progressing the Sister City movement.

It is recommended that Council supports the attendance of Councillor Sheather at the Australian Sister Cities Association National Conference in Orange from 8 to 12 November 2003.

RECOMMENDATION:

That Council supports the attendance of Councillor Sheather at the Australian Sister Cities Association National Conference in Orange from 8 to 12 November 2003.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF ITEM 57 Oooo

ITEM: 58 **Proposal to Enter a Pre Lease Agreement for the New Commercial Area within Council's New Library Building**

FILE NUMBER: 85363/CSV/OGG29NBX.C12

REPORT:

Council has received advice from Catholic Health Care Services Limited (CHCS) who remain interested in reaching agreement with Council in respect of a future lease of office space within the new library building. In respect of this option, the CHCS put forward the following proposal:

- CHCS and Council agree that CHCS will lease a minimum of 500 (five hundred) sqm of office space in the new library building upon its completion.
- Council agrees to give CHCS first option on additional office space in the new building up to the proposed 1,067 (one thousand and sixty seven) sqm (total commercial area).
- CHCS agrees to advise Council of its total requirements approximately 3 (three) months prior to the building being completed.
- In return for entering a pre lease agreement, Council agrees to lease the total office space that CHCS requires at a rate not exceeding the prevailing lease fee for the old hospital site for a period of 3 (three) years from commencement. After the completion of 3 (three) years, the lease fee would be reviewed.
- Obligations of the parties in relation to initial fitout cost to be negotiated at the time of signing a formal lease.
- The lease be for a period of 3 (three) years with a 5 (five) year option.
- Lease fee to include reserved, onsite parking on the basis of one space per 35 (thirty five) sqm leased. Additional, unreserved parking to be available at no further cost to CHCS or CHCS staff.
- If, after entering into the pre lease agreement, CHCS decide not to proceed to final negotiation stage, CHCS agree to pay the Council a one off fee of $5,000 (five thousand dollars). CHCS agrees to notify of its intentions at least three months prior to the completion of the library building.

CHCS state that the new library building is one of their range of options that they are considering at the moment to meet their longer term accommodation needs.

In respect of their short term needs, CHCS are in the process of negotiating with Dr Ian Rafter with a view of sub leasing approximately one quarter of the old hospital building whilst the new library building is being developed.

CHCS are very keen to make a final decision on office accommodation within the next 2 (two) weeks and would appreciate Council's early consideration of their option put forward.

The proposal put forward by CHCS is a very good option for Council as it locks in a major employment generating industry within the Hawkesbury area. It will further enhance the hospital precinct as a thriving business centre and will retain a large number of professional people in close proximity of the Windsor main street shops.

There are areas within their proposal, however, that should be altered to further enhance the proposal put forward such as the proposed lease period. A preferred lease term would be a 5 (five) x 5 (five) x 5 (five) year lease term.

Another area of concern is the initial lease fee for the new office accommodation. It is proposed that for the first 3 (three) years of the lease, as a show of goodwill, the lease fee would be exactly the same as the old hospital building being leased by Dr Rafter and First Choice Health Care. Initially, First Choice Health Care lease is $250 (two hundred and fifty dollars) per square metre which will increase on a yearly basis by CPI capped at 4% (four). CHCS would then have a market review at the end of year 3 (three) of their first 5 (five) year lease term.

With regard to reserved parking, it is proposed to offer the same reserved parking to CHCS as offered to First Choice Health Care, i.e, 15 (fifteen) reserved car parking spaces per 1,000 (one thousand) sqm of leased area. Therefore, if CHCS decided to only lease 500 (five hundred) sqm, 8 (eight) reserved car parking spaces only would be allowed within the terms of the lease.

RECOMMENDATION:

That:

1. A pre lease agreement between Catholic Health Care Services and Hawkesbury City Council be entered into for the new commercial area contained within Council's new library/art gallery building with the following inclusions:

   (a) CHCS will lease a minimum of 500 (five hundred) sqm of office space in the new building upon its completion.

   (b) Council agrees to give CHCS first option on additional office space in the new building up to the proposed 1,067 (one thousand and sixty seven) sqm.

.

   (c) CHCS agrees to advise Council of its total requirements approximately 3 (three) months prior to the building completion.

(d) In return for any pre lease agreement, Council agrees to lease the total office space that CHCS requires at a rate not exceeding the current rental being obtained by Council on the old hospital building from Dr Rafter and First Choice Health Care for a period of 3 (three) years from the time of CHCS occupying the new building.

(e) After the completion of the 3 (three) years, the lease would be market reviewed.

(f) Obligations of Council and CHCS in relation to initial fitout costs to be negotiated at the time of signing a formal lease.

(g) The lease be for a period of 5 (five) years with 2 (two), 5 (five) year options with market reviews after year 3 (three), year 5 (five) and year 13 (thirteen) and with CPI increases on all other years to be capped at 4% (four) plus the cost of all outgoings.

(h) Lease fee to include reserved onsite parking on the basis of 15 (fifteen) car parking spaces for the entire 1,067 (one thousand and sixty seven) sqm of office space. Anything less than the 1,067 (one thousand and sixty seven) sqm of office space being leased, reserved car parking space would be worked out on a pro rata basis, i.e, 500 (five hundred) sqm equals 8 (eight) reserved car parking spaces.

(i) If after entering into the pre lease agreement, CHCS decide not to proceed to final negotiation stage, CHCS agree to pay the Council a one off fee of $5,000 (five thousand dollars). CHCS agreed to notify of its intention at lease 3 (three) months prior to building completion.

2. All necessary documentation be signed under the Common Seal of Council.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF ITEM 58 Oooo

ITEM: 59 **Request for Assistance with Legal Costs**

FILE NUMBER: 107/CSV/OGG29NBX.C11

REPORT:

Council has received advice from the Local Government and Shire Association of New South Wales regarding a request for assistance with legal costs on 2 (two) matters which are listed below for Council's consideration.

(a) Cowra Shire Council has approached the Association for assistance with legal costs in litigation in which it has been involved. A Development Application for the establishment and operation of a quartz mine in the Council area was called in by the Minister for Urban Affairs and Planning pursuant Section 76A of the Environmental Planning and Assessment Act 1979 on the basis that it was State significant development. It was determined by the Minister by granting development approval subject to certain conditions, including the payment to the Council of a Section 94 contribution of $100,000 (one hundred thousand dollars) for community services and bushfire services, which was the amount offered by the applicant for these matters. Under the Council's Section 94 Plan, the contribution would have been $100,000 (one hundred thousand dollars) plus an amount of $30,000 (thirty thousand dollars) per annum over the 21 (twenty one) year life of the development. The Council resolved to challenge the Minister's decision, but the Land and Environment Court dismissed the action and subsequently reduced the figure set by the Minister. Based on legal advice, the Council decided to take the matter no further.

The matter does not come within the guidelines for assistance, but the Executives of the 2 (two) associations consider that its circumstances warrant giving support to it. It was considered that there were issues of ethics and appropriateness in the Minister's decision to disregard the Council's Contribution Plan, and that if allowed to stand, it would set a precedent for the Minister in disregarding a plan which the consent authority would otherwise have to take into account.

The Council incurred the sum of $19,336 (nineteen thousand, three hundred and thirty six dollars) in defending its position. Hawkesbury City Council's portion of this amount, calculated in accordance with the usual formula, is $167 (one hundred and sixty seven dollars).

(b) Willoughby City Council has approached the Association for assistance with legal costs in litigation in which it has been involved. The Council lodged a public interest objection in the Licencing Court against an applicant to the transfer of a liquor licence to a hotel within its area. The objection was to the provision of 22 (twenty two) gaming machines at the premises, on the basis that the premises adjoined a retail shopping centre, and so the provision of gaming machines was prohibited under Section 161A (1) of Liquor Act 1982. The Council succeeded before the Licencing Court, but was unsuccessful in the subsequent appeal which the applicant brought in the Court of Appeal.

The matter was seen as one of significance to Local Government because it is one which has confronted many Councils. A Council's position as consent authority has been compromised with respect to the control of gaming in its area, particularly by the 1997 amendments to the Act, and so Councils are largely powerless to stop the increase in gaming machine numbers and hence the increase of problem gambling. The process of objection before the Licencing Court is one of the few avenues open to a Council in these situations.

Willoughby City Council incurred the sum of $185,012 (one hundred and eighty five thousand and twelve dollars) in defending its position. Hawkesbury City Council's portion of this amount, calculated in accordance with the usual formula, is $1,607 (one thousand, six hundred and seven dollars).

RECOMMENDATION:

That:

1. Hawkesbury City Council contribute to the cost of the 2 (two) Councils legal costs as per the request from the Local Government and Shires Association for the amounts of $167 (one hundred and sixty seven dollars) for Court costs incurred by Cowra Shire Council and $1,607 (one thousand, six hundred and seven dollars) for legal costs incurred by Willoughby City Council.

2. The legal costs are charged against Council's legal cost budget allocation in line with normal practice.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF ITEM 59 Oooo

ITEM: 60 **Hawkesbury Agricultural Retention through Diversification and Clustering**

FILE NUMBER: 85438,80886/CSV/OGG29NBX.C01

REPORT:

Tenders for the Hawkesbury Agricultural Retention through Diversification and Clustering (HARtDaC) Project closed on Friday, 27 June 2003, with 2 (two) tenders being received from the following companies:

- Agriculture Victoria Services Pty Ltd.
- Topoclimate Services Pty Ltd.

As per the recommendation from the May HARtDaC Steering Committee, an Independent Evaluation Panel was selected to assess the tenders received and to recommend their preferred Scientific Specialist Consultant to undertake the project. The Independent Evaluation Panel consisted of:

- Dr Craig Barton, Research Officer, State Forrest of NSW
- Dr Phillip Wright, Program Leader (Intensive Horticulture) NSW Agriculture

The Independent Evaluation Panel met on Wednesday, 2 July 2003 to assess both tenders and to recommend to the Steering Committee the preferred tenderer.

Tenderers Profile

Agriculture Victoria Services Pty Ltd

Agriculture Victoria is the agricultural and natural resource research and development unit of the Victorian Department of Primary Industries. Their network of 12 (twelve) network institutes, throughout Victoria, provide practical and environmentally sound technical and research solutions to Government organisations, private industry and the community. They provide these services through their commercial agent, Agriculture Victoria Services Pty Ltd (AVS).

The Strategic Research Planning (SRP) Unit of AVS has extensive experience working in regional, urban and natural resource planning and management, with an international and national reputation for leading edge initiatives in sustainable agriculture.

The SRP Unit of AVS provides high quality strategic planning for natural resources and environmental management, urban regional and rural planning, evaluation and priority setting, environmental resource assessments, and socio-economic development. Their primary aim is to develop and deliver scientifically credible, environmentally sound and socio-economically beneficial strategies for local, regional and state-wide sustainable development within a time frame useful for planning and management purposes. The framework of SRP Projects supports sustainable development, environmental and biodiversity protection, social viability, and economic prosperity.

Recent projects undertaken or completed by SRP include:

- Directions for Sustainable Future - Wellington Shire Council (VIC)
- Options for Agriculture in a New Climate [winner Planning Institute Australia (PIA), 2002 Awards for Planning Excellence - Special Planning Category]
- Directions for Sustainable Future - City of Ballarat
- Corangamite Regional Strategic Framework - Shaping Corangamite's Future
- Corangamite Regional Knowledge, Data and Information Network
- South Gippsland Coastal Development Plan
- Lyn Hurst Land Use Strategic Study - City of Greater Dandenong
- Sustainable Rural Strategy - Mornington Peninsula Shire
- East Gippsland's Sustainable Development Strategy [commendation Planning Institute Australia (PIA) Awards - Rural and Regional Planning Achievement Category].

In the HARtDaC Project, AVS will be associated with the University of Western Sydney, specifically the Centre of Horticulture and Plant Science (CHAPS) and the School of Environmental and Agriculture, which have a reputation for excellence in both teaching and research in those fields. CHAPS has been recognised for its outstanding work and facilities by the Australian Government when it was designated as a Major Research Facility (MRF), and the only MRF located in Western Sydney. The key UWS staff participating in the CHAPS contribution to this project will be:

- Associate Professor Robert Spooner-Hart
- Professor Peter Cornish
- Associate Professor Basant Maheshwari
- Dr Frank Kelleher
- Mr Graham Richards

<u>Topoclimate Services Pty Ltd</u>

Topoclimate Services Pty Ltd was initially developed in 2000 as a part-time consultancy operation while it's principal, Mr Gary Hutchinson, was employed by the Topoclimate South Charitable Trust in Southland, New Zealand. A commercial business was developed with the active support of the Trust. The business relocated to Coffs Harbour in NSW and commenced fulltime operations in December 2001 at the conclusion of the community-based Topoclimate Project in Southland, New Zealand. Mr Hutchinson originally developed the Topoclimate concept, which was developed as a community-driven concept for sustainable rural development including the aspects of diversification and improved productivity based on quality information on the land resource and the real needs of each community.

The Topoclimate Services Pty Ltd's tender proposes the inclusion of a partnership with the University of Western Sydney who have offered assistance in a number of specific areas by Associate Professor Robert Mulley, Head of School, Environment and Agriculture and Associate Professor Samsul Huda - Climate Studies and Agribusiness Development.

Further opportunities of partnerships may also develop as the project proceeds with Friends of the Wollemi (FOW).

Recent projects undertaken or completed by Topoclimate Services Pty Ltd include:

- Southland, New Zealand;
- Landcare Research Ltd, New Zealand;
- Wilga area Southwest, Western Australia;
- Upper Hunter Valley in NSW;
- Bilpin area involving 24 (twenty four) farmers;
- Land use Capacity Survey, Northern Tasmania; and
- Microclimate Survey Hampton area north of Toowoomba, Queensland.

Selection Criteria

The Independent Evaluation Panel evaluated both tenders in accordance with the criteria set out below. The criteria is not listed in any order and was not necessarily accorded equal weight, nor is the criteria exhaustive. It is intended simply to give applicants a general indication of the priorities of the project. Both price and non-price criteria were taken into account when both tenders were assessed. The criteria is as follows:

(a) Knowledge, understanding and experience of land resource mapping systems;
(b) Experience in undertaking similar projects;
(c) Capacity and experience in working direct with the farmers;
(d) Capacity and experience of working collaboratively with communities and other community representative groups;
(e) Proven ability to effectively develop and implement communication strategies within individuals and groups;
(f) Conflict resolution and negotiation skills;
(g) Experience and qualifications of personnel involved in consultancy;
(h) Methodology proposed to be used;
(i) Capacity to undertake the work and meet the objectives of the project within the specific time frame (proposed project completion date October 2004);
(j) Access to relevant technologies;
(k) Ability to meet specific milestones;
(l) Ability to communicate and work constructively with the Steering Committee;
(m) Ability to provide progress and final reports to the Steering Committee;
(n) Ability to produce and present project outcomes; and
(o) Remuneration to undertake work.

Recommendation from the Independent Evaluation Panel

The Independent Evaluation Panel, after taking the Selection Criteria into account, has recommended Agriculture Victoria Services Pty Ltd as the successful tenderer for the following reasons:

- Broader Skills base.
- More comprehensive methodology:
  - better understanding of microclimate data and its limitations;
  - makes use of remote sensing;
  - planning correlation of microclimate with climate data provides more robust modelling base; and
  - more explicitly takes aspect into account.
- Better analysis of sustainability issues.
- Likely to deliver a more comprehensive report to Council.

Specifically against selection criteria, the Agriculture Victoria proposal was stronger for:

- Experience and qualifications of personnel involved in consultancy; and
- Methodology proposed to be used;

while the tendered price for the services from both tenderers are similar (when Professional Indemnity Insurance has been taken into account as a cost).

Issues

(a) Should ensure that at the microclimate level, appropriate modelling is used against long term climatic data, so that any recommendations are not based on a narrow 1-2 year data set.

(b) An Intellectual Property Agreement needs to be decided upon given that Public money is being used to fund the project, therefore the project information, including data sets, should be in the public domain.

Cost

Agriculture Victoria Services Pty Ltd	$249,000.00 (GST exclusive)
Topoclimate Services Pty Ltd (excluding Professional Indemnity Insurance Cover)	$213,637.00 (GST exclusive)

It should be noted however that the Topoclimate Services Pty Ltd tender does not allow for a provision for Professional Indemnity Insurance cover [tender documentation states that Professional Indemnity Insurance cover of $5,000,000.00 (five million dollars) is to be held for a minimum 5 (five) year period]. Topoclimate Services Pty Ltd have received a quote for Professional Indemnity Insurance coverage at a cost of $7,000.00 (seven thousand) per annum or $35,000.00 (thirty five thousand dollars) for the 5 (five) years (GST exclusive). If this cost is included in the Topoclimate Services Pty Ltd's tendered price, their price would now stand at $248,637.00 (two hundred and forty eight thousand, six hundred and thirty seven dollars) (GST exclusive) for the project.

Topoclimate Services Pty Ltd (including Professional Indemnity Insurance Cover)	$248,637.00 (GST exclusive)

In relation to Professional Indemnity Insurance coverage, Council's Risk Manager has advised that any project undertaken of this type and magnitude would need appropriate Professional Indemnity Insurance cover and recommends that this coverage is not waived as part of the tender and does not see it as an unnecessary duplication or unduly onerous on the tenderers. Agriculture Victoria Services Pty Ltd has the appropriate Professional Indemnity Insurance coverage and is included in their tendered price.

Funding Breakdown

Regional Assistance Program (RAP) Funding	$96,100.00
State & Regional Development Funding (Greater Western Sydney Economic Development Board)	$28,000.00
Hawkesbury City Council	$30,000.00
	$154,100.00

Difference between Funding received and Project costs are to be met by the farmers involved in the project.			$94,900.00 (GST excl.)
	$94,900.00 ÷ 20 farms	= $4,745.00 x 10% GST (*N.B.)	
		= $5,219.50 contribution from each farmer	
			$249,000.00

*N.B. GST is payable by the farmers as they are receiving a benefit/service from the payment of their contribution.

As part of the grant application, Council also committed to providing an interest free loan to the farmers who could not pay their contribution up front. This would equate to approximately $145.00 (one hundred and forty five dollars) per month over a 3 (three) year term.

Conclusion

The HARtDaC Steering Committee met on Thursday, 3 July 2003 to discuss the tenders received and the recommendation from the Independent Evaluation Committee. The majority of the Steering Committee agreed with the recommendation but were prepared to allow the following members an opportunity to speak to the members of the Independent Evaluation Committee via a phone conference: Ms Louise Saarinen, Mr John Maguire and Mr David Tuxford. A number of questions were asked by the 3 (three)

Steering Committee members to the Independent Evaluation Committee and it was decided that reference checking should be carried out on the preferred tenderer.

Contact was made from referees contained in AVS's tender with their permission from the following:

- Mr Warwick McDonald - Technical Director, National Lands & Water Resources Audit;
- Mr Steven Dickson - Director, Community & Economic Development, Wellington Shire Council (VIC);
- Mr Lynton Shedden - Mornington Peninsular Shire Council; and
- Ms Sonia Kirby - Wyndham City Council (VIC).

All were very supportive of the services provided by Agriculture Victoria Services Pty Ltd which included the following comments:

- Keen to do a quality job;
- Highly professional;
- Strengths in networking;
- Experience in dealing with local and regional groups;
- Strong field experience;
- Able to draw on expertise when needed;
- Initiative in finding situations;
- Could communicate at all levels;
- Experienced in agricultural projects;
- Able to achieve desired outcomes; and
- Experience in micro-climate surveys.

The results of the phone conference with the Independent Evaluation Panel and reference checks on the preferred tenderer have been reported back to the HARtDaC Steering Committee with the majority of the Committee agreeing with the recommendation of the Independent Evaluation Panel.

Additional information has also been received from Toppoclimate Services Pty Ltd regarding clarification on points contained in their tender document, which was reported to the Steering Committee on Thursday 24th July, 2003.

It should also be noted that Toppoclimate Services Pty Ltd are currently conducting a project in the Bilpin area involving 24 (twenty four) farmers. It is unlikely that information and data collected from that project will be passed on to the HARtDaC project and visa versa if Toppoclimate Services Pty Ltd are not the successful tender.

RECOMMENDATION:

Council sitting as a Committee of the whole resolve that:

1. Agriculture Victoria Services Pty Ltd be awarded the tender for the appointment as the Scientific Consultant for the Hawkesbury Agricultural Retention through Diversification and Clustering Project as per the recommendation of the Independent Evaluation Panel.

2. An Intellectual Property Agreement be entered into ensuring that the project information, including data sets, remains in the public domain.

3. All necessary documentation be signed under the Common Seal of Council.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF ITEM 60 Oooo

ITEM: 61 **Approval of Interstate Travel ARIMA National Conference**

FILE NUMBER: 79509/CSV/OGG29NBX.C08

REPORT:

The Australasian Institute of Risk Management (ARIMA) will this year be held in Cairns from 30 November to 3 December 2003.

This Conference has been highly successful for a number of years and contains a strong educational formula that has ensured important outcomes are delivered to all attendees It also brings together national and international experts.

The ARIMA National Conference is the leading Risk Management Conference in Australia and part of that industry's National Development Programme dealing with all aspects of managing risks, whether it be safety, crisis and disaster manager or business continuity.

The cost of attending this conference will be approximately $2,100 (two thousand, one hundred) per delegate, and in accordance with policy, Council approval is required.

It is proposed to have Council's Risk Manager attend the ARIMA Conference in Cairns from 30 November to 3 December 2003.

RECOMMENDATION:

That Council approve the attendance of the Risk Manager at the Australasian Institute of Risk Management Conference in Cairns from 30 November to 3 December 2003.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF ITEM 61 Oooo

ITEM: 62 **Hawkesbury Carnivale Celebrations**

FILE NUMBER: 81881/CSV/OGG29NBX.C07

REPORT:

A request has been received from the volunteer Hawkesbury Carnivale Inc Committee for support of the 2003 Hawkesbury Carnivale celebrations planned for Richmond on Sunday 14 September 2003.

This event is now entering into its eighth year. The aim of Carnivale is to provide the Hawkesbury community with an mainstreet based free activity and includes a street parade featuring more than 30 (thirty) floats / groups, as well as entertainment and stalls in Richmond Park. The theme of the 2003 celebrations is 'Magic and Mystery'.

Council has been an important sponsor and supporter of this event since its inception through financial assistance and organisational support by staff. The volunteer committee has actively sought a range of sponsorships and has been successful obtaining support for some costs. A budget allocation has been provided to enable support of this event in the current financial year.

RECOMMENDATION:

That information regarding Hawkesbury Carnivale 2003 be received and that Council participate as a major sponsor through the donation of $5,000 (five thousand dollars) as endorsed in the current budget.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF ITEM 62 Oooo

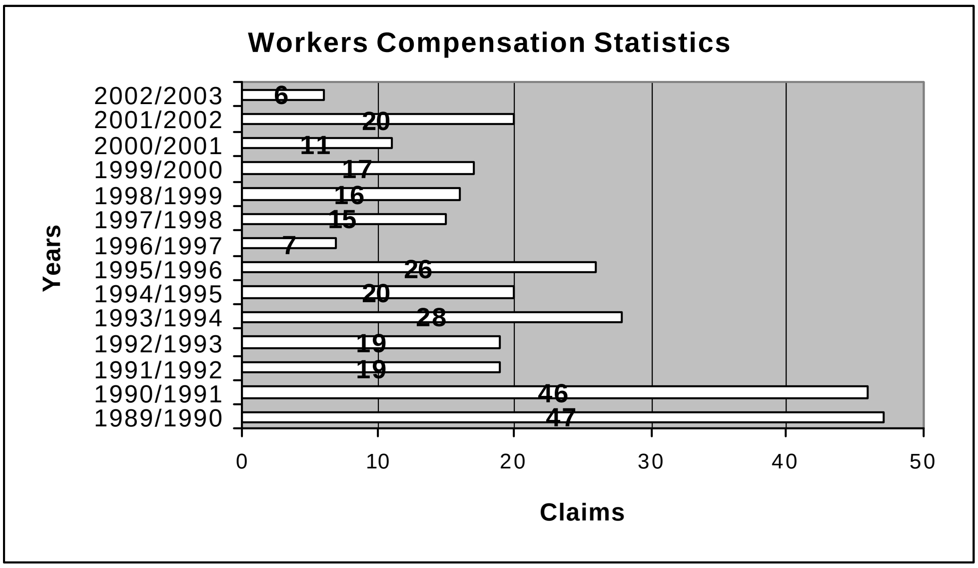
ITEM: 63 **Workers Compensation - Self Insurance Licence Renewal**

FILE NUMBER: 79509/CSV/OGG29NBX.C09

REPORT:

Council's 3 (three) year licence to act as a self-insurer for Workers Compensation will expire February 2004. Hawkesbury has been a self-insurer for Workers Compensation since 1983. Accordingly, if it is Council's desire to continue to self insure then the renewal process requires a 6 (six) month lead time.

Council's Workers' Compensation claims statistics are listed below:



From a financial perspective, significant savings have been achieved in claims management by being self insured, and in addition, by retaining premiums this has enabled those amounts to be invested, and in turn provide income that could not be otherwise be achieved.

In conjunction with a Self-Insurance Licence it will be necessary for Council to continue to hold an Excess of Loss Insurance Policy. This policy limits Council's liability to a maximum of $500,000 (five hundred thousand dollars) for any one claim.

It is estimated that the cost of maintaining this licence and to meet existing future claim liabilities will require funding in the order of $486,000 (four hundred and eighty six thousand) to $550,000 (five hundred and fifty thousand) per year with the first year estimated at $486,000 (four hundred and eighty six thousand). In comparison the premium through the traditional insurance market would be approximately $700,000 (seven hundred thousand). Accordingly on current liability estimates Council would achieve a premium saving of $214,000 (two hundred and fourteen thousand) in year 1 (one) of the licence by continuing to act as a self-insurer.

RECOMMENDATION:

That an application be submitted to the WorkCover NSW to renew Council's Self-insurance Licence for Workers' Compensation for a further 3 (three) year period.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF ITEM 63 Oooo

ITEM: 64 **Hollands Paddock Carpark - Report on Rezoning**

FILE NUMBER: 8736/CSV/OGG29NCX.C10

REPORT:

Council has requested a report on the history of the acquisition and rezoning of Hollands Paddock land.

A similar request was made for the General Purpose Committee meeting of 27 August 2002 and it was subsequently reported that:

> *"Council has requested a report on the history of the acquisition and zoning of Hollands Paddock land and particularly how it came about to be rezoned from Special Uses 5(a) Car parking to General Business 3(a).*
>
> *The land was acquired by Windsor Council in 1920. At the time of acquisition the current park and the current carpark were one lot. In 1953 the carpark land was transferred to the Metropolitan Water, Sewerage and Drainage Board and this land is now owned by Pirasta Pty Limited.*
>
> *A year by year licence for Car parking was entered into by Council on 22 February 1968, with Sydney Water. The land was zoned 5(a) Parking under the Windsor Planning Scheme 1973 and then it was zoned 5(a) Parking under LEP1984. LEP1989 zoned the land 5(a) Special Uses Parking.*
>
> *Council's records indicate that in July 1989, Council was pursuing the acquisition of three lots in that area from Sydney Water, including carpark land, which was at the time zoned for Special Uses. Sydney Water had, at that time, indicated that the land was surplus to its needs and would consider disposal of it, however they were questioning the development potential of the site and proposals to rezone it. A previous rezoning proposal had been refused on the basis of flood liability. There are notes on the file which indicate advice that if the Special Uses zoning was retained and land transferred from Sydney Water to a private individual, Council may be required to acquire the site as it would be a reservation as described under the Environmental Planning and Assessment Act.*
>
> *At a meeting of 12 March 1996, Council resolved to start the rezoning process which arose from a request to rezone part of the Council carpark at Richmond to allow an expansion of the Coles supermarket. The conclusion of this report was that all 5(a) parking land should be rezoned.*
>
> *On 25 March 1996, Council advised the then Department of Planning of Council's resolution and advised it would affect five parcels of land in Windsor, two parcels of land in Richmond and one parcel of land in North Richmond.*

On 22 July 1996 Council conducted Section 62 consultation with public authorities and in August 1996 the Department of Planning issued a Section 65 Certificate to allow the plan to proceed to exhibition. On 14 August 1996 Council notified all adjoining owners of all eight parcels of land and the exhibition for the Draft LEP was held from 21 August 1996 to 18 September 1996.

Council's General Purpose Committee on 29 October 1996 received a report on the exhibition of the Draft Plan noting that there were three submissions received. The submissions were concerned about the amount of land zoned 3(a) in the city and that development of Council's carpark may lead to a surplus of commercially zoned land.

The body of the report deals with the assumption that Council is the landowner and any development that would take place would require Council's consent. There is no discussion in the report to Council that the Hollands Paddock land was in fact owned by Sydney Water. At Council's Ordinary meeting of 12 November 1996 it was resolved to submit the draft plan for determination and gazettal and also to prepare a draft Development Control Plan for the carparks affected by this Draft Local Environmental Plan. This Draft Development Control Plan has never been prepared.

On 13 February 1997 the Minister for Planning, at the time, made the plan that was gazetted shortly afterwards.

In December 1999 Council was advised the property had been purchased, the new owner being Pirasta Pty Limited.

The Draft LEP that rezoned the Car parking land in the three shopping centres was designed to allow for Council to deal with the land and to manage commercial expansion over them. There is no mention in the report or the preliminary information of the unique circumstances of the Hollands Paddock land.

At the Ordinary meeting of Council on 8 October 2002 it was reported under Item 222: "Planning Workshop - Outcomes and Actions Plan" that:

"Hollands Paddock proposed commercial development.
The need was identified to ensure any proposal is integrated into the current town and its residential / retail / administrative / tourism activities. Actions determined are to undertake a traffic study of the town, expected to require approximately $40,000 (forty thousand dollars); look to a partly developer funded, heritage development control plan and to keep communicating with the community to ensure that their position is taken into account. It was determined that council was willing to provide a commercial / retail approval with conditions following a traffic study."

At the Ordinary meeting of 10 June 2003 a Mayoral Minute was stated that:

> *"Hollands Paddock Action Plan*
> *Following Council's decision not to support the re-development of the Hollands Paddock site and the subsequent fencing of the property, a number of issues have been raised necessitating the preparation of an action plan.*
>
> *Parking in Windsor*
> - *Maps have been circulated to the business houses along George Street showing locations of unrestricted on-street parking.*
> - *Informal parking is available adjacent to the Girl Guides Hall (reported separately to this meeting).*
> - *Additional parking within Windsor is being investigated including plans and costings for an additional deck on the Kable Street/Terrace carpark, sensitive to the adjoining properties and visual amenity of that area.*
> - *Resumption of the Hollands Paddock property for Car parking purposes could be undertaken. Valuation would be at commercial rates and prohibitive in terms of the provision of Car parking and future capital works.*
> - *In conjunction with Windsor Mainstreet a letter has been forwarded to businesses seeking a coordinated approach to staff parking in restricted and unrestricted areas.*
>
> *Access to Surrounding Properties*
> - *Legal advice indicates that acquisition by Council of the Pirasta property to provide access to the Iacovella property would not be supported.*
> - *The request from Mrs Iacovella to allocate parking spaces in Johnston Street for tenants of her property has been referred to the Local Traffic Committee for consideration.*
> - *A loading zone exists in George Street adjacent to the butcher's shop and could be extended however this would reduce the amount of on-street parking available.*
>
> *While it is appreciated that the closure of the Hollands Paddock area has created inconvenience within the Windsor township in terms of parking and access, any opportunity to mitigate issues will be investigated promptly."*

As part of the Local Traffic Committee - 20 June 2003 that was reported to the Ordinary meeting of 8 July 2003 the following was reported:

> *"Johnston Street, Windsor - Designated Resident Parking - Ms Mary Iacovella*
>
> *Introduction:*
>
> *Representation has been received from Ms Mary Iacovella requesting that consideration be given to introducing a temporary parking zone to accommodate five (5) cars for the residents of No. 17 Johnston Street, Windsor. Ms Iacovella has claimed the following:*

- *The access to the garages of the five (5) units of No. 17 Johnston Street has been fenced off by the owner of the land, which is locally known as Hollands Paddock Carpark.*
- *All tenants of these five (5) units have a car and this has created significant inconvenience for them. Most of the tenants are elderly, one tenant suffers from acute arthritis which makes it difficult for her to walk long distances.*

Discussion:

Johnston Street is a local road. The carriageway width between the kerbs varies between 4.9 metres and 6.5 metres. Kerbside parking is permitted only on the north eastern side of Johnston Street between Union Lane and The Terrace. There are sixteen (16) unrestricted car parking spaces available on this section of the road at the location shown on the plan at Appendix 4.

It has been observed that all the car parking spaces on Johnston Street have been fully occupied during business hours and rarely occupied after hours. It appears that this parking area serves businesses on Johnston Street and surrounding streets. Therefore, it is desirable to retain maximum unrestricted parking in close proximity to the commercial centre.

There are no "residents only" on-street parking bays within the Hawkesbury City Council area. In addition, approval of this request to restrict on-street parking for the use of residents only, may set a precedent for similar parking in the area for all the residents and the shop keepers who have been affected by the closure of Hollands Paddock Carpark."

Recommendation:

That no action be taken"

The above minutes of the Traffic Committee were adopted at the Ordinary meeting of 8 July 2003.

RECOMMENDATION:

That the information be received.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF ITEM 64 Oooo

ITEM: 65 **WSROC Board Meeting No 3, 2003, 19 June 2003**

FILE NUMBER: 80363/CSV/OGG29NCX.C02

REPORT:

At the WSROC Board Meeting on 19 June 2003, the committee considered two items that impact upon the Hawkesbury Local Government area. These items are listed below.

Proposed Council Amalgamations and Boundary Adjustments

The motion proposed that WSROC adopt a position in light of the State Government's recent urging of councils to actively consider boundary adjustments and amalgamation proposals.

The Committee recommended as follows:

In relation to proposed amalgamations and boundary adjustments it is proposed that the Board resolve that:

1. *WSROC declares its position in relation to amalgamations and boundary changes to be as follows:*
   a. *Such an objective should only be pursued after the relevant councils have properly consulted their communities and there is agreement between all the affected Councils;*

2. *General Managers of all WSROC Councils be requested to advise all member Councils of this resolution.*

It was also recommended that WSROC seek a round-table discussion to be held in Western Sydney with the Minister for Local Government the Hon. Tony Kelly to outline and discuss the Government's proposals for review of local government in the region. This discussion will allow for representatives of all councils to develop a clearer picture of any reforms which are being proposed by the NSW Government and discuss implications and potential concerns. It was further proposed that WSROC invite the President of the Local Government Association to speak on this issue at the August Board meeting.

At the meeting, considerable general debate ensued on a number of proposed amendments to the motion. The proposed amendments by Clr Pigram, Clr Morrisey and Clr Van de Weg's to the resolution were endorsed. The amendment proposed by Clr Egan was not endorsed by the Board.

The amended motion was moved

That in relation to proposed amalgamations and boundary adjustments which may affect the WSROC region that:

1. *WSROC declares its position in relation to amalgamations, boundary changes, sharing of resources with neighbouring Councils and general issues pertaining to the achievement of a more co-ordinated and consistent approach by Councils to issues such as governance, planning and policy development, as affecting Western Sydney Councils, to be as follows:*

    a. *Such an objective should only be pursued after the relevant Councils have properly consulted their communities and there is agreement between all the affected Councils; and*
    b. *Councils should not proceed to unilaterally achieve this objective.*

2. *General Managers of all WSROC Councils be requested to advise all member Councils of this resolution;*

3. *the President be delegated authority to write to and approach the Minister for Local Government, the Hon Tony Kelly, MP, to request an urgent round-table meeting with local councils in Western Sydney;*

4. *the President of the Local Government Association be invited to speak at the August Board meeting on the issue of local government reform;*

5. *WSROC write to the Local Government Association outlining WSROC's position and seeking that LGov present to the next Association Conference in November 2003 the findings and recommendations of the Working Party on Local Government Reform for endorsement; and*

6. *WSROC present its position on Local Government Reform to the LGA Conference.*

Future of Agriculture and Rural Lands Within the Hawkesbury Region

With reference to correspondence received from Hawkesbury Council requesting that the preservation of land for agriculture in North Western Sydney be included in the regional vision for Western Sydney the following recommendation was made.

It was resolved that:
“The information regarding the future of agricultural and rural lands within the Hawkesbury region be received and noted and considered as part of the preparation of a regional planning framework”

The WSROC Steering Committee for the Regional Planning Framework project have established a working group which will consider policy development options, including issues of agriculture and rural land protection, over the next two months. Hawkesbury City council is represented on this working group by Council’s Senior Strategic Planner, Ms Rachel Cumming.

RECOMMENDATION:

That the information be received.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF ITEM 65 Oooo

ITEM: 66 **2003 Community Report**

FILE NUMBER: 79356/CSV/OGG29NCX.C06

REPORT:

As a feature of Local Government Week to be celebrated in the Hawkesbury from 26 July - 2 August, the Hawkesbury City Council 2003 Community Report will be launched today. This publication has been distributed with the rates notices sent out on 25 July 2003.

The 16 (sixteen) page full colour brochure outlines the Council's major achievements in the last financial year in an easy to read format.

This year, due to major issues being considered including Hollands Paddock in Windsor and the future of Pitt Town, the community report focuses on how Hawkesbury has the unique challenge of balancing rural and urban environments.

One of the many challenges faced by Council is the need to balance all of the community's needs. These range from social and physical to environmental and economic. Councils have now moved well beyond 'roads, rates and rubbish' as illustrated through the Community Report.

Financial information is included in the Community Report outlining expenditure on roads, parks and buildings, as well as details on the stormwater levy expenditure.

The 2003 Community Report will also be available from Council offices, Windsor and Richmond Libraries, and Tourism Hawkesbury.

RECOMMENDATION:

That the information on the 2003 Community Report be received.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF ITEM 66 Oooo