



Camden Council

Business Paper

Ordinary Council Meeting
14 March 2017

Camden Council
Administration Centre
70 Central Avenue
Oran Park



COMMON ABBREVIATIONS

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

General Manager
Ron Moore Mayor
Lara Symkowiak

Director Customer and Corporate Services
David Reynolds

Manager Governance and Corporate
Services
Charles Weber

Director Planning and Environmental Services
Nicole Magurren

Director Community Infrastructure
Vince Capaldi

SEATING DIAGRAM

Camden Council Meeting

Councillor
Rob Mills

Councillor
Theresa Fedeli

Councillor
Peter Sidgreaves

Councillor
Michael Morrison

Councillor
Ashleigh Cagney

Councillor
Eva Campbell

Councillor
Paul Farrow

Councillor
Cindy Cagney

Public Address

Public Seating

Media





ORDINARY COUNCIL

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ORDINARY COUNCIL

SUBJECT: PRAYER

PRAYER

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

Amen

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

Amen

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

Amen

AFFIRMATION

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

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

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

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

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



ORDINARY COUNCIL

SUBJECT: ACKNOWLEDGEMENT OF COUNTRY

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



ORDINARY COUNCIL

SUBJECT: RECORDING OF COUNCIL MEETINGS

In accordance with Camden Council's Code of Meeting Practice and as permitted under the *Local Government Act 1993*, this meeting is being audio recorded by Council staff for minute taking purposes.

No other recording by a video camera, still camera or any other electronic device capable of recording speech, moving images or still images is permitted without the prior approval of the Council. The Council has not authorised any other recording of this meeting. A person may, as provided by section 10(2)(a) or (b) of the *Local Government Act 1993*, be expelled from a meeting of a Council for using or having used a recorder in contravention of this clause.



ORDINARY COUNCIL

SUBJECT: APOLOGIES

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

RECOMMENDED

That leave of absence be granted.



ORDINARY COUNCIL

SUBJECT: DECLARATION OF INTEREST

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

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

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

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

RECOMMENDED

That the declarations be noted.



ORDINARY COUNCIL

SUBJECT: PUBLIC ADDRESSES

The Public Address session in the Council Meeting provides an opportunity for people to speak publicly on any item on Council's Business Paper.

The Public Address session will be conducted in accordance with the Public Address Guidelines. Speakers must submit an application form to Council's Governance team no later than 5.00pm on the working day prior to the day of the meeting.

Speakers are limited to one topic per Public Address session. Only seven speakers can be heard at any meeting. A limitation of one speaker for and one speaker against on each item is in place. Additional speakers, either for or against, will be identified as 'tentative speakers' or should only be considered where the total number of speakers does not exceed seven at any given meeting.

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

Speakers should ensure that their statements, comments and questions comply with the Guidelines.

All speakers are limited to four minutes, with a one minute warning given to speakers prior to the four minute time period elapsing. The commencement and conclusion of time shall be advised by the Mayor/Chairperson.

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

The Mayor/Chairperson has the discretion to withdraw the privilege to speak where a speaker continues to make inappropriate or offensive comments about another person, or make a point of order ruling if a speaker breaches the Guidelines.

RECOMMENDED

That the public addresses be noted.



ORDINARY COUNCIL

SUBJECT: CONFIRMATION OF MINUTES

Confirm and adopt Minutes of the Ordinary Council Meeting held 28 February, 2017 and the Minutes of the Local Traffic Committee Meeting held 21 February, 2017.

RECOMMENDED

That the Minutes of the Ordinary Council Meeting held 28 February, 2017, and the Minutes of the Local Traffic Committee Meeting held 21 February, 2017, copies of which have been circulated, be confirmed and adopted.



ORDINARY COUNCIL

SUBJECT: MAYORAL MINUTE

Consideration of Mayoral Minute (if any).



ORDINARY COUNCIL

ORD01

SUBJECT: DRAFT SUBMISSION - PROPOSED CHANGES TO THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

FROM: Director Planning & Environmental Services

TRIM #: 17/20082

PREVIOUS ITEMS: ORD08 - SUBMISSION TO DEPARTMENT OF PLANNING AND ENVIRONMENT - PROPOSED MEDIUM DENSITY HOUSING CODE AND DRAFT MEDIUM DENSITY DESIGN GUIDE - Ordinary Council - 13 Dec 2016 6.00pm
ORD06 - White Paper Response to Department of Planning & Infrastructure - Ordinary Council - 25 Jun 2013 6.00pm

PURPOSE OF REPORT

The purpose of this report is to inform Council of the exhibition of the NSW Government's draft amendments to the *Environmental Planning and Assessment Act 1979* (EP&A Act) and to seek endorsement of a submission to the Department of Planning and Environment (DPE). A copy of the draft submission is **provided as Attachment 1 to this report**.

A copy of the exhibition summary document is **provided as Attachment 2 to this report**.

BACKGROUND

In 2012 and 2013, the NSW Government released a Green Paper setting out proposed reforms for the NSW Planning framework and a White Paper responding to questions and issues raised in submissions.

In 2016, the DPE commenced consultation with stakeholders on changes to the EP&A Act.

In January, 2017, DPE placed a draft Bill (and supporting documentation) on public exhibition until 31 March, 2017. The draft changes as outlined by DPE include:

- **Community participation:** establishing a new part of the EP&A Act that consolidates community consultation provisions and requires decision-makers to give reasons for their decisions.
- **Completing the strategic planning framework:** through local strategic planning statements, up to date Local Environmental Plans and more consistent Development Control Plans
- **Development pathways:** changes to the various development pathways and modifications.
- **State significant development:** through better environmental impact assessment and more effective conditions of consent.

- **Facilitating infrastructure delivery:** by applying public authority concurrence to Part 5 activities (activities undertaken by Council and State agencies that require a Review of Environmental Factors but do not require development consent).
- **Planning agreements:** developing a clearer policy framework for the role and use of planning agreements. A range of initiatives will also be undertaken to improve infrastructure contributions more broadly.
- **Decision-making:** promoting the use of local planning panels. It is proposed to give the Minister power to direct a Council to appoint a local planning panel where this is warranted to improve the quality and timeliness of DA determinations in the local area or manage conflicts of interest or corruption.
- **Building provisions:** simplified and consolidated building provisions, allowing conditions on construction certificates and ensuring consistency with development approvals.
- **Elevating the role of design:** through a new design object in the EP&A Act.
- **Enforcement:** introduction of enforceable undertakings in compliance actions.

MAIN REPORT

Council officers have prepared a draft submission (**Attachment 1**) providing comment on the proposed amendments to the EP&A Act. A Councillor briefing session on the proposed changes was held on 28 February, 2017.

The key issues identified in the draft submission are outlined below.

1. Changes to Complying Development

The proposed changes seek to expand complying development and to address issues that act as a barrier to its uptake.

Deferred commencement of complying development certificates

At present, an accredited certifier is not able to issue a complying development certificate if the development is to occur on an unregistered lot (a lot that has not yet had a deposited plan registered). This is seen as a barrier to the uptake of complying development in greenfield areas.

The proposed changes will allow for deferred commencement of a complying development certificate in certain circumstances including requiring a subdivision to be registered prior to the development commencing.

Council officers raise concern with allowing complying development on unregistered lots. The concern is in regard to practicalities and conflict between house design and infrastructure, for example, driveway crossings conflicting with drainage lintels, pram ramps, street trees, and lamp posts.

Comment

The draft submission recommends the DPE not proceed with the proposed change to include unregistered lots within complying development.



Sensitive complying development categories

The DPE is proposing to expand complying development. Recently, Council provided comment on the release of a draft Medium Density Design Guide (MDDG) and draft Medium Density Housing Code (MDHC). The draft MDHC recommends changes to the Codes SEPP to enable the following forms of development to be approved as complying development:

- Terrace housing, manor houses and dual occupancies with street frontages;
- Torrens title subdivision of smaller lots for the purposes of dual occupancies; and
- Medium density housing and subdivision under one complying development certificate.

Further to this, the proposed changes to the EP&A Act seek to include safeguards to ensure the appropriate consideration of proposals with a greater potential to impact local values or sensitive areas. On this basis, the Regulation will be able to specify certain categories of development for which only a council certifier is authorised to issue a complying development certificate.

Comment

The draft submission reiterates Council's objection to the draft MDHC as the changes are not deemed compatible with greenfield development areas such as Camden and have the potential to adversely impact on the character of suburbs and the planned development within release areas.

The draft MDHC is considered to be inconsistent with the DPE's commitment to elevating the role of design and is inconsistent with the draft South West District Plan, which encourages place making incorporating local identity and reducing uniform dwelling designs.

2. Achieving good design outcomes through Complying Development

The proposed amendments include a new object in the EP&A Act, promoting good design in the built environment.

Comment

The draft submission commends the NSW Government's commitment to elevating the role of design. However, Council officers raise concern on the ability to provide good design-led outcomes through complying development. The rigidity of complying development does not allow for design led outcomes.

The introduction of a standardised Development Control Plan (DCP) format also has the potential to limit design led outcomes. Any standardised format will need to allow for site specific controls.

The draft submission invites the DPE to visit Camden to inspect examples of complying development.

3. Incentives for early consultation with neighbours

The draft amendments to the EP&A Act encourage early consultation with neighbours to be completed before lodging a DA.

Comment

The draft submission commends the initiative to encourage early consultation, however raises concerns with the process including:

- Lack of transparency, with the potential for proponents to unlawfully force/obtain neighbour agreement;
- Increased responsibility placed on councils to check and clarify if evidence of consultation is acceptable or otherwise. This may have a resource impact on Council.

4. Building Provisions and Enforcement Tools

The draft amendments seek to provide simplified and consolidated building provisions and new tools that can improve compliance outcomes.

Comment

The draft submission raises concerns with a number of the proposed changes to the building provisions and enforcement tools including:

- The timing of development control orders and fire safety orders are restrictive, particularly if a referral to a State Agency is required (i.e. Fire & Rescue NSW, Heritage Council) or due to Council reporting timeframes
- The requirement for fire safety orders to be considered at Council meetings. To avoid holding up fire safety orders, it would be more efficient if referrals are made directly to the General Manager of a Council for delegation to staff;
- Lack of guidance around the requirement for Notice and Order templates to ensure consistency throughout NSW; and
- Lack of delegation for Council to issue development control orders for unlawful development on Crown Land.

5. Resourcing, Timing and Efficiency

Comment

The draft submission raises concerns regarding potential resourcing, timing and efficiency impacts for Council, including:

- Compulsory 5 year LEP review – the number of rezonings that occur in growth areas such as Camden may mean that this is onerous and potentially unnecessary;
- The potential for delays in DA assessment times if a minimum public exhibition requirement is implemented (especially for compliant small scale developments);
- The implementation of Community Participation Plans or review of Council's existing Community Engagement Strategy – clarification is sought on how these will work in conjunction with Council's Community Engagement Strategy; and



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- An increased burden on Council certifiers regarding issuing certain development categories for complying development, and if time limitations are placed on proceedings involving construction certificates.

6. Infrastructure Contributions

A more broad review of the Government Infrastructure Policy is warranted, particularly in regard to funding gaps. Funding gaps comprise the three areas of 'essential' infrastructure and 'non-essential' infrastructure due to the \$30,000 cap, and the inability to fund regional infrastructure.

'Essential' Infrastructure

On 16 September, 2010, a Ministerial Direction was issued under section 94A of the EP&A Act which capped the maximum development contributions that a Council can collect for residential development in greenfield areas at \$30,000 per dwelling or lot. The Ministerial Direction also stipulates that if a section 94 contributions plan (CP) exceeds the \$30,000 per dwelling cap, the CP can only collect for 'essential' infrastructure.

Council's experience with greenfield release area planning has identified that the cap of \$30,000 is significantly less than the actual cost of providing 'essential' infrastructure for new release areas, which creates a gap which needs to be funded.

Since the introduction of the cap in 2010, the value of the cap has remained unchanged and no mechanism has been provided to index the cap to CPI and to have regard for the significant increase in land values and the cost of acquiring land.

The role of the \$30,000 cap in supporting the affordability of housing should be reviewed in light of the retail price of land increasing by over 100% since 2010, and the current capped contributions representing a smaller proportion of the cost of land and residential development than in 2010.

Should the cap remain in place (whether at \$30,000 or a revised amount), an ongoing commitment is sought from the Government regarding the provision of gap funding to Councils where a CP that exceeds the \$30,000 cap is approved by IPART. If an ongoing commitment cannot be provided, the abolition of the cap is recommended to eliminate the accumulation of a significant long term and unfunded gap in development contributions.

'Non-essential' Infrastructure

The Ministerial Direction under Clause 94A of the EP&A Act stipulates that, if a CP exceeds the \$30,000 per dwelling cap, the CP can only collect for the provision of 'essential' infrastructure. The Ministerial Direction states that the acquisition of land to accommodate future community infrastructure is 'essential' infrastructure, but the construction of community facilities upon this land is 'non-essential' infrastructure.

The inability of a CP to collect for the construction of community facilities is an impediment to the establishment of vibrant, inclusive and cohesive communities in new urban release areas. The future construction cost of these facilities is passed on to all ratepayers within the local government area if these items are to be funded via general revenue or Council borrowings.

Regional Infrastructure

Council is currently unable to levy development contributions towards regional infrastructure (land or works) and is reliant upon alternative sources to fund the significant cost of this infrastructure. The current approach is considered to be unsustainable and will result in an under-provision of regional facilities within greenfield urban release areas.

Comment

The draft submission recommends a broad review of the Government Infrastructure Policy be undertaken. This should include a review of the contribution cap amount and introduction of indexation of the cap, and a funding strategy for regional infrastructure.

FINANCIAL IMPLICATIONS

The draft submission has no direct financial implications for Council however the proposed legislation changes may have future resourcing impacts.

CONCLUSION

The DPE has released a draft Bill of amendments to the EP&A Act, which is on public exhibition until 31st March 2017.

Council officers have reviewed the proposed amendments and prepared a draft submission. Whilst the draft submission provides broad support for the proposed changes, it also identifies a number of issues for further consideration.

Notably, the draft submission raises concerns about complying development and its inconsistency with the Draft South West District Plan, which encourages improved place making and design.

RECOMMENDED

That Council:

- i. endorse the attached draft submission to be forwarded to the Department of Planning and Environment;**
- ii. forward a copy of the submission to Mr Chris Patterson MP, State Member for Camden; and**
- iii. forward a copy of the submission to the Greater Sydney Commission and South West Sydney District Commissioner.**

ATTACHMENTS

1. Draft Submission - Proposed changes to the Environmental Planning and Assessment Act 1979(2)
2. Summary of proposals



ORDINARY COUNCIL

ORD02

**SUBJECT: CAMDEN COMPANION ANIMALS ADVISORY COMMITTEE -
NOMINATED REPRESENTATIVES**

FROM: Director Planning & Environmental Services

TRIM #: 17/29193

PURPOSE OF REPORT

The purpose of this report is for Council to endorse the proposed membership of the Camden Companion Animals Advisory Committee (Committee) and to adopt a change to the Terms of Reference (ToR) in relation to the community membership of the Committee.

BACKGROUND

On 11 December, 2012, Council resolved to establish a Camden Companion Animals Advisory Committee within the Camden LGA with two Councillors to be representatives on the Committee.

On 26 November, 2013, Council endorsed the membership of the Committee and adopted a ToR. **A copy of the previous Council report is provided as an attachment.**

Appointments to the Committee remain current for two years and all current community representatives must reapply if they wish to be considered as a member after their two year term.

The Committee was established as a consultative forum to advise on the development and implementation of companion animal services, facilities and programs that may impact on the community.

The objectives of the Committee include:

1. To act as an advisory body to Council and in making recommendations to the Council;
2. To assist with the development of strategic policies, programs, services and plans for companion animals;
3. To provide strategic input and advice in relation to Council's Companion Animal events and educational programs to help raise awareness about companion animals and the *Companion Animals Act 1998* eg. Paws in the Park; and
4. To assist Council with the delivery of effective and responsible care and management of companion animals within the local government area.

Since its establishment, the Committee has successfully implemented a number of responsible pet ownership initiatives including:

- A local school education program on responsible pet ownership;
- Council Rangers attend approximately six events a year promoting responsible pet ownership;



-
- Development of educational resources i.e. PAWS mascot for schools and events, PAWS Book, display boards, drink bottles, frisbees, poo bags, marquee, kids craft corner, tattoos, magnets and dog leads;
 - Promotion of responsible pet ownership through advertising – two buses displaying messages for approximately 4 months, upgrade of Council’s dog trailer and information on Council’s Facebook site;
 - Council’s animal desexing program – 34 cats and 23 dogs desexed;
 - Upgrade of Elderslie Off Leash Park – dog poo bag dispenser, small dogs off leash area, gazebo for shade and solar lighting.

In 2016/2017 budget, Council committed \$27,300 to companion animal initiatives to assist promoting responsible pet ownership. These funds have been allocated for initiatives such as promotional and educational material and displays, microchipping, signage and poo dispensers.

Committee Membership

The Committee comprises the following members.

Council Representatives (voting)

- Two Councillors appointed by Council.

Community Representatives (voting)

- Five animal professionals (which may include, but not limited to a veterinarian, animal behaviourist, member of the NSW Animal Welfare League/RSPCA or the alike;
- Two Camden Council residents.

Attendee (non-voting)

- Camden Council Waste and Compliance Manager;
- One Council Ranger;
- Camden Council Companion Animal Officer;
- One other Camden Council staff member.

Due to the two year appointment having expired, an expression of interest was advertised with the closing date of the 25 November, 2016.

Council received expressions of interest from six local residents, one person who resides in Wollondilly Shire and five animal professionals. One local resident reapplied and four local professionals reapplied for a position on the Committee.

Given the number of nominations received from the community (local residents), an informal interview selection process was undertaken with the Manager of Waste and Compliance and the Team Leader of Ranger Services. Five people were interviewed, one applicant withdrew her application, and one resided outside the Camden LGA. The professionals were not interviewed as five applications were received for five positions.

MAIN REPORT

Terms of Reference (ToR)

The ToR describes the purpose and structure of the Committee. The ToR provides a definition of the scope of what the Committee aims to achieve and the objectives.



Council officers have reviewed the ToR and propose the following change:

1. To increase the local resident membership from two to three residents. Increasing the number of local residents on the Committee will provide a greater representation from local residents.

Council Representatives (voting)

On 27 September, 2016, the Mayor Councillor Lara Symkowiak and Councillor Ashleigh Cagney were appointed the Council representatives on the Committee.

Community Representatives (Voting)

The list of applicants who applied to join the Committee is provided in **Supporting Documents**.

All applicants were enthusiastic about participating on the Committee and had the welfare of companion animals within the community as the primary reason for applying.

If Council resolves to endorse an increase in the local residents on the Committee to three, the three residents considered most suited to be appointed are:

- Murray Hamer of Grasmere (currently on the Committee);
- Joanne Lawrence of Narellan;
- Jacqueline Quick of Narellan Vale.

Each veterinary clinic representative can bring knowledge and expertise from within their field. It is recommended that the following five local professionals be appointed onto the Committee:

1. Dr Steven Ferguson – Macarthur Veterinary Group (currently on committee);
2. Dr Michael Wallace – Caring Vets Narellan (currently on committee);
3. Dr Edward Humphries – Rossmore Veterinary Hospital (currently on committee);
4. Colleen Ritchard – Sydney University Veterinary Hospital (currently on committee);
5. Dr Simone Maher – Animal Welfare League Vet Clinic Kemps Creek.

FINANCIAL IMPLICATIONS

There are no direct financial implications for Council.

Membership of the Committee for those appointed is of a voluntary nature and there is no payment of expenses in relation to attending activities or meetings.

CONCLUSION

It is evident from the number of applicants that the issue of companion animals and their welfare is regarded as important within the community.

Increasing the number of local resident representatives on the Committee to three will assist in obtaining a broader perspective on companion animal issues within the LGA.

It is recommended that Council endorse the change to the Committee membership and appoint the representatives as recommended.



RECOMMENDED

That Council:

- i. endorse the amendment to the Terms of Reference of the Camden Companion Animals Advisory Committee to increase local resident representation to three members;**
- ii. appoint local residents Murray Hamer, Joanne Lawrence and Jacqueline Quick as community representatives on the Companion Animals Advisory Committee for a two year period;**
- iii. appoint the following Animal Professionals as community representatives on the Companion Animals Advisory Committee for a two year period only:**
 - 1. Dr Steven Ferguson – Macarthur Veterinary Group;**
 - 2. Dr Michael Wallace – Caring Vets Narellan;**
 - 3. Dr Edward Humphries – Rossmore Veterinary Hospital;**
 - 4. Colleen Ritchard – Sydney Uni Veterinary Hospital;**
 - 5. Simone Maher – Animal Welfare League Kemps Creek.**
- iv. write to all applicants thanking them for their applications; and**
- v. write to all current members thanking them for their involvement in the Companion Animals Advisory Committee.**

ATTACHMENTS

- 1. Council Report - 26 November 2013**
- 2. List of applicants for CCAAC - *Supporting Document***



ORDINARY COUNCIL

ORD03

SUBJECT: ROADS AND MARITIME SERVICES 2017/18 FUNDING - PEDESTRIAN INFRASTRUCTURE SAFETY AROUND SCHOOLS PROGRAM AND CATHERINE FIELDS ROAD UPGRADE

FROM: Director Community Infrastructure

TRIM #: 17/36037

PURPOSE OF REPORT

To seek Council acceptance of funding for 2017/18 from RMS and to seek the allocation of additional funds by Council, where required, from the Capital Works Reserve.

BACKGROUND

RMS sought applications for the Pedestrian Safety Infrastructure Around Schools Program in December, 2015. RMS has advised that for the 2016/17 financial year, Camden Council has been successful in securing funding of \$100,000 for two projects. RMS is also offering \$100,000 funding for upgrading Catherine Fields Road.

MAIN REPORT

Pedestrian Infrastructure Safety Around Schools Program

The Program was launched by Transport for NSW in February, 2015. Funding is available for around 100 locations across the state over a three year period and each site is eligible to receive up to \$50,000 for pedestrian infrastructure.

Council has been advised by the RMS on behalf of Transport for NSW that the following applications have been successful in the 2017/2018 financial year:

- Old Hume Highway, Camden – Pedestrian Crossing Upgrade (Camden South Public School) – compliance with current standards

Project Cost Estimate	\$80,000 (excluding GST)
Funding Offered	\$50,000 (excluding GST) (63%)

- Elyard Street, Narellan – Pedestrian Crossing Upgrade (Narellan Public School) – compliance with current standards

Project Cost Estimate	\$80,000 (excluding GST)
Funding Offered	\$50,000 (excluding GST) (63%)

Council's applications for funding towards upgraded crossings in Belgenny Avenue, Camden (Camden South Public School) and Franzman Avenue, Elderslie (Elderslie Public School) have been unsuccessful.

Further funding allocations will be considered by RMS over the coming months for other programs in 2017/18.

Catherine Fields Road Intersection Upgrade

RMS proposes to make a payment of \$100,000 to Council to undertake improvement works to Catherine Fields Road, which would focus on upgrading and widening the intersection with Chisholm Road.

FINANCIAL IMPLICATIONS

Pedestrian Infrastructure Safety Around Schools Program

In accepting the funding under the Pedestrian Infrastructure Safety Around Schools Program, Council is required to commit all funding to complete each project over and above the \$50,000 maximum allocation.

It is proposed that \$60,000 funding be allocated from the Capital Works Reserve for 2017/18 to contribute the required funding for the two successful projects under this program. Funds are available from the Capital Works Reserve.

The work will create additional signage, line marking and devices, which will need to be maintained over time. This maintenance would be funded from the RMS Annual Block Grant Fund.

The works are required to be completed no later than June 2018.

Catherine Fields Road Intersection Upgrade

There are no financial implications to Council in accepting funding for the Catherine Fields Road upgrade works.

The works are required to be completed no later than June 2018.

CONCLUSION

RMS has advised Council of allocations of grant funding for three projects available in 2017/18, with two of the projects requiring additional funds by Council. It is recommended that Council accept the funding offer and provide the required \$60,000 from the Capital Works Reserve.

RECOMMENDED

That Council:

- i. accept Transport for NSW funding of \$100,000 (excluding GST) under the Pedestrian Infrastructure Around Schools Program towards Old Hume Highway and Elyard Street Pedestrian Crossing Upgrades;**
- ii. provide funding of \$60,000 (excluding GST) from the Capital Works Reserve towards the Pedestrian Infrastructure Around Schools Program;**
- iii. accept Roads and Maritime Services funding of \$100,000 (excluding GST) for Catherine Fields Road upgrade works; and**
- iv. write to the (State) Minister for Roads, Maritime and Freight, The Hon. Melinda Pavey MP, and the State Member for Camden, Chris Patterson MP, thanking them for their assistance.**



ORDINARY COUNCIL

ORD04

SUBJECT: TENDER T004/2017 - ARGYLE STREET, CAMDEN - MEDIAN WORKS BETWEEN ELIZABETH AND EDWARD STREETS

FROM: Director Community Infrastructure

TRIM #: 17/51553

PURPOSE OF REPORT

To provide details of the tenders received for contract T004/2017, being Argyle Street, Camden – Median Works Between Elizabeth and Edward Streets, and to recommend that Council accept the tender submitted by Statewide Civil Pty Ltd.

BACKGROUND

The scope of this project involves removal of the existing concrete median in Argyle Street, Camden, between Elizabeth and Edward Streets, and construction of a new wider median to allow landscaping, including provision of eight new Jacarandah trees. These works will greatly improve the visual appearance of this entry to Argyle Street. The extent of works is shown in **Attachment 1** of this report.

A contractor is required to act as the Principal Contractor for the site and be responsible for the construction works. The Contractor will manage and coordinate all sub-contractors and integrate their output at all stages.

Procurement of a contractor for the works has been undertaken in two stages. The first stage was to issue an open Expression of Interest (EOI) to select suitable firms to participate in a tender.

The second stage of procurement was to issue tender invitations to the selected firms. This was issued on 9 December, 2016 with tender returns required by 25 January, 2017.

MAIN REPORT

Invitation to Tender

The tender for Argyle Street, Camden – Median Works between Elizabeth and Edward Streets, was issued to the pre-selected list of tenderers using the NSW e-tendering website. Tenderers were asked to provide a lump sum price for the works.

Tender Submissions

Tenders were received from companies listed below in alphabetical order:

<u>Name of Tenderer</u>	<u>Location</u>
CA&I Pty Ltd	Chippendale NSW
Quality Management & Constructions Pty Ltd	Bella Vista NSW
Statewide Civil Pty Ltd	Norwest NSW

A summary of the submissions is provided in the **Supporting Documents**. Please note this information is Commercial in Confidence.



Tender Evaluation

The intention of the tender process is to appoint a contractor with proven capacity and experience in similar scale projects, as well as providing good value and quality services to Council.

A tender evaluation panel was established and the submissions were assessed on price and non-price factors as agreed by the evaluation panel. Price was given weighting of 50% and non-price factors a weighting of 50%.

Non Price Factors considered for this project included:

- Conformity to the specification and tender documents;
- Previous experience;
- Proposed team and capacity;
- Program;
- Methodology for undertaking the works; and
- Work Health & Safety.

Statewide Civil Pty Ltd has provided a competitive tender in terms of cost and satisfied the requirements of Council's tender documentation. Statewide Civil Pty Ltd were awarded and successfully completed Stage 1B Argyle Street Streetscape Upgrade for Camden Council. Previous clients of Statewide Civil Pty Ltd were also contacted and provided positive feedback.

Statewide Civil Pty Ltd has demonstrated a proven track record in delivering projects of a similar scale and nature for local government.

The panel members were unanimous that the tender by Statewide Civil Pty Ltd represented the best value to Council.

Relevant Legislation

The tender has been conducted in accordance with the *Local Government Act 1993*, the *Local Government Regulations 2005* and Council's Purchasing and Procurement Policy.

Critical Dates / Time Frames

Statewide Civil Pty Ltd has submitted a program to complete the works in ten weeks from commencement on site. This program does not include any allowance for wet weather, which would extend the construction time. Should Council accept this tender, the works are expected to be completed in July, 2017 subject to any unforeseen conditions.

FINANCIAL IMPLICATIONS

Council has sufficient funds currently allocated to this project in the 2016/17 Capital Works Program to proceed with the proposed works in accordance with the terms and conditions of the tender.



CONCLUSION

Statewide Civil Pty Ltd has provided a conforming tender. The tender assessment concludes that the offer by Statewide Civil Pty Ltd represents best value to Council and the company has a proven track record of performance on projects of a similar nature.

RECOMMENDED

That Council:

- i. accept the tender provided by Statewide Civil Pty Ltd as per the terms and conditions of Tender T004/2017 – Argyle Street, Camden – Median Works between Elizabeth and Edward Streets, for the lump sum value of \$359,360.80 (GST exclusive); and**
- ii. authorise the relevant documentation to be finalised and signed under delegation.**

ATTACHMENTS

1. Extent of Median Works - Argyle Street Camden
2. Tender Evaluation - Tender T004/2017 - Argyle Street Camden - Median Works between Elizabeth and Edward Street - *Supporting Document*



ORDINARY COUNCIL

ORD05

NOTICE OF MOTION

SUBJECT: NOTICE OF MOTION - LIVE STREAMING COUNCIL MEETINGS
FROM: Cr Farrow
TRIM #: 17/62917

“I, Councillor Paul Farrow, hereby give notice of my intention to move the following at the Council Meeting of 14 March 2017:

That Camden Council make all necessary arrangements to enable Ordinary Council meetings to be live streamed and accessible through the Council website.”

RECOMMENDED

That Camden Council make all necessary arrangements to enable Ordinary Council meetings to be live streamed and accessible through the Council website.