



Camden Council

Business Paper

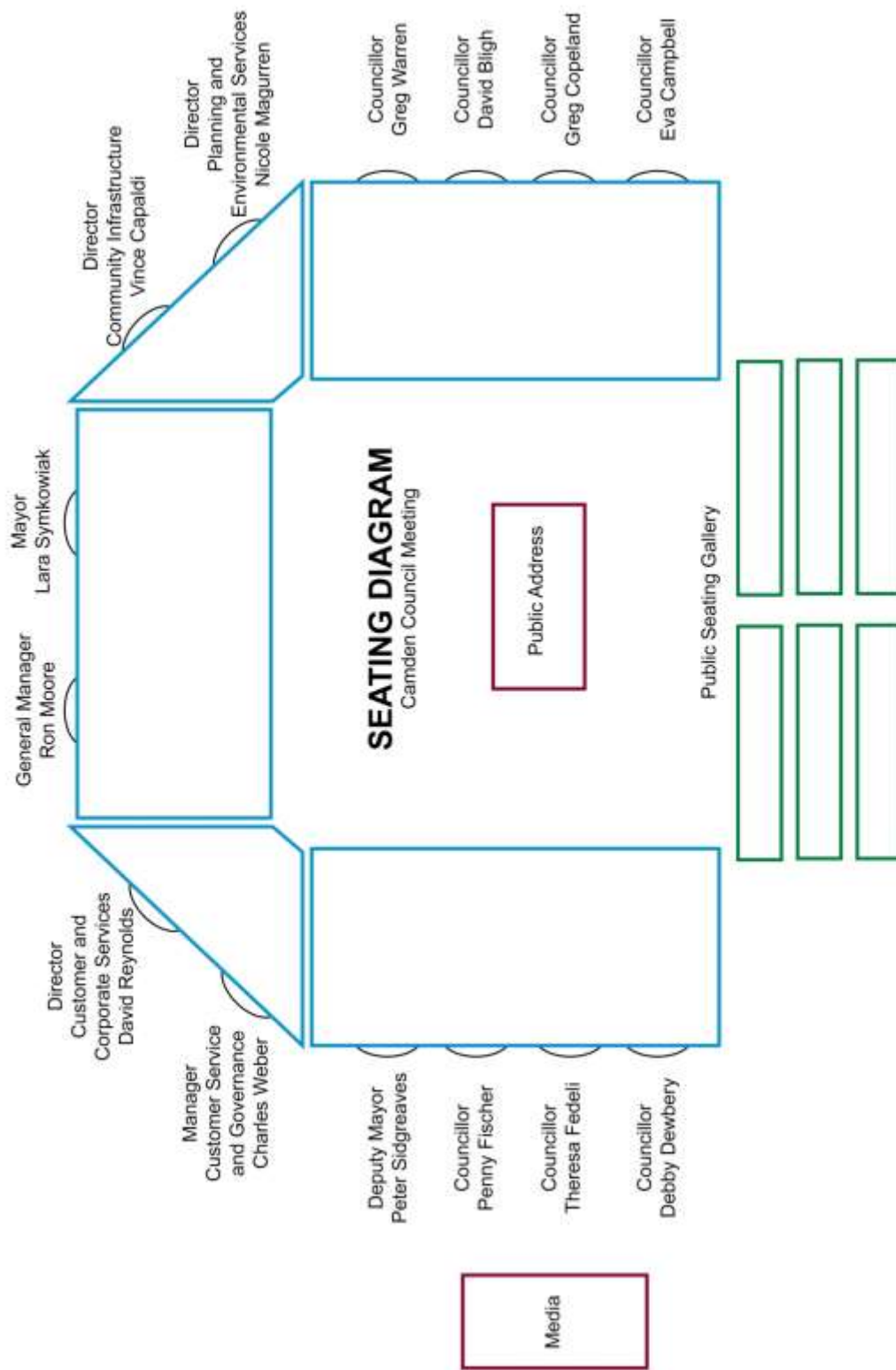
Ordinary Council Meeting
14 June 2016

Camden Civic Centre
Oxley Street
Camden



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
DWE	Department of Water and Energy
DoH	Department of Housing
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
GCC	Growth Centres Commission
LAP	Local Approvals Policy
LEP	Local Environmental Plan
LGA	Local Government Area
MACROC	Macarthur Regional Organisation of Councils
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
SRA	State Rail Authority
SREP	Sydney Regional Environmental Plan
STP	Sewerage Treatment Plant
VMP	Vegetation Management Plan
WSROC	Western Sydney Regional Organisation of Councils



***Please do not talk during Council Meeting proceedings.
Recording of the Council Meeting is not permitted by members of the public at any time.***



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 this meeting is being audio recorded by Council staff for minute taking purposes.

No other recording by a video camera, or any other electronic device capable of recording speech, 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 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 segment (incorporating Public Question Time) in the Council Meeting provides an opportunity for people to speak publicly on any item on Council's Business Paper agenda or on any matter within the Local Government area which falls within Council jurisdiction.

Speakers must book in with the Council office via telephone to Council's Governance Team by 4.00pm on the day of the meeting and must advise the topic being raised. Only seven (7) speakers can be heard at any meeting. A limitation of one (1) speaker for and one (1) speaker against on each item is in place. Additional speakers, either for or against, will be identified as 'tentative speakers' and should only be considered where the total number of speakers does not exceed seven (7) at any given meeting.

Where a member of the public raises a question during the Public Address segment, 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 (1) question per speaker per meeting.

All speakers are limited to 4 minutes, with a 1 minute warning given to speakers prior to the 4 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.

RECOMMENDED

That the public addresses be noted.



ORDINARY COUNCIL

SUBJECT: CONFIRMATION OF MINUTES

Confirm and adopt Minutes of the Ordinary Council Meeting held 24 May 2016 and the Local Traffic Committee Meeting held 17 May 2016.

RECOMMENDED

That the Minutes of the Ordinary Council Meeting held 24 May 2016 and the Local Traffic Committee Meeting held 17 May 2016, 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: ACCEPTANCE OF FUNDING – NSW EPA COMBATting ILLEGAL DUMPING (CLEAN-UP & PREVENTION) GRANT 2016
FROM: Director Planning & Environmental Services
TRIM #: 16/166099

PURPOSE OF REPORT

To seek Council endorsement to accept \$20,000 from the Environment Protection Authority (EPA) to establish baseline data for illegal dumping incidents in the LGA.

BACKGROUND

Council is responsible for the investigation of illegal dumping on both public and private land.

Council recently applied for \$20,000 in grant funding from the EPA to help reduce and manage illegal dumping incidents. The grant funding will be used to establish baseline data on the extent of illegal dumping and identify hot spots for illegal dumping throughout the area. The funding will also be used to provide illegal dumping signage.

MAIN REPORT

The EPA has advised that Council has been successful in its grant application for \$20,000 under the EPA's Combatting Illegal Dumping (Clean-Up & Prevention) Grant.

The funding will be used to establish baseline data and signage to help address illegal dumping in the LGA.

FINANCIAL IMPLICATIONS

There are no budget implications for Council in accepting the funding. This project will be fully funded through grant funding.

CONCLUSION

Council has been successful in its grant application for \$20,000 from the EPA. The funding will allow Council to establish baseline data on illegal dumping incidents.

It is recommended that Council accept the grant funding offered from the EPA.

RECOMMENDED

That Council accept the EPA's funding of \$20,000 (GST not applicable) to establish base line data for illegal dumping incidents.



ORDINARY COUNCIL

ORD02

SUBJECT: MARCH REVIEW OF THE 2015/16 OPERATIONAL PLAN (BUDGET)
FROM: Director Customer & Corporate Services
TRIM #: 16/3081

PURPOSE OF REPORT

This report presents the March Quarterly Operational Plan (budget) Review for the 2015/16 financial year in accordance with Part 9, Division 3, Clause 203 of the *Local Government (General) Regulation 2005*.

Its purpose is to inform Council of the necessary changes to the 2015/16 Operational Plan since the December Review of the 2015/16 Operational Plan (budget), and to consider other changes put forward for determination.

SUMMARY OF BUDGET POSITION

In adopting the December Review of the 2015/16 Operational Plan (budget), Council approved a balanced budget position. Budget adjustments identified at the March Review represent a projected budget surplus for the 2015/16 financial year of \$898,888.

The projected surplus is above Council's minimum working funds level of \$1,000,000.

The improvement in the projected surplus is predominately a result of development and rating income continuing to exceed budget expectations and additional interest on investments.

ALLOCATION OF THE 2015/16 PROJECTED SURPLUS

It is recommended that the projected surplus of \$898,888 be allocated as follows.

BUDGET SURPLUS ALLOCATION		
Budget Surplus Available for Allocation		\$898,888
Capital Works Reserve – Transfer to Reserve	\$291,810	
Asset Renewal Reserve – Transfer to Reserve	\$122,190	
ELE Reserve – Transfer to Reserve	\$136,888	
Working Funds Reserve – Transfer to Reserve	\$348,000	
Total - Allocation of Budget Surplus		\$898,888
Balanced Budget Position		\$0



Capital Works Reserve

As part of the March 2014 budget review, Council resolved to maintain a minimum balance held in the Capital Works Reserve of \$1,500,000. The proposed surplus transfer of \$291,810 will increase the uncommitted balance in reserve to \$1,500,000. The proposed balance of \$1,500,000 has considered any transfers proposed as part of the 2016/17 Operational Plan (budget) currently on public exhibition.

The balance of the Capital Works Reserve is as follows:

CAPITAL WORKS RESERVE	
Balance - 1 July 2015	\$2,920,691
Add: Funds transferred – 2015/2016 budget	\$2,311,864
Add: Funds transferred – March 2016 Review	\$291,810
Total funds/cash available	\$5,524,365
Less: 2014/2015 Revotes	(\$258,930)
Less: 2015/16 Approved budget allocations	(\$2,078,200)
Less: Camden Cemetery Works (Ord8 26/4/16)	(\$301,250)
Less: Proposed Council contribution towards the 2016/17 Active Transport Program and Black Spot Programs (Ord3 14/6/16)	(\$40,000)
Less: 2016/17 Draft budget allocations	(\$1,306,300)
Total funding allocated	(\$3,984,680)
Projected Reserve balance as at 30 June 2017	\$1,539,685
Argyle St Pedestrian Crossing Improvements (2018/19 budget)	(\$39,685)
Uncommitted Reserve Balance Available for Allocation	\$1,500,000



Asset Renewal Reserve

The uncommitted balance of this reserve will be \$122,190. The balance has considered any transfers proposed as part of the 2016/17 Operational Plan (budget) currently on public exhibition. The funds are available to Council for future allocation towards the replacement, renovation and/or maintenance of existing assets.

The balance of the Asset Renewal Reserve is as follows:

ASSET RENEWAL RESERVE	
Balance - 1 July 2015	\$1,566,451
Add: Funds transferred – 2015/2016 budget	\$3,699,155
Add: Funds transferred – March 2016 Review	\$122,190
Total funds/cash available	\$5,387,796
Less: 2015/16 Approved budget allocations	(\$3,285,906)
Less: 2016/17 Draft budget allocations	(\$1,979,700)
Total funds allocated	(\$5,265,606)
Projected Reserve balance as at 30 June 2017	\$122,190

Employee Leave Liability Reserve

Council is committed to the industry standard of maintaining the balance of its Employee Leave Entitlements (ELE) Reserve to 20% of the total leave liability.

Due to the increase in Council's staffing numbers and transfers from the ELE reserve during 2015/16, a contribution of \$136,888 is required to top up the reserve.



MAIN REPORT- MARCH REVIEW OF THE 2015/16 BUDGET

Further information and explanation of the increase in the projected budget surplus for 2015/16 is detailed below.

PROPOSED VARIATIONS TO BUDGET

Variations identified during the third quarter of 2015/16 have led to a projected budget surplus of \$898,888. A list of the variations (greater than \$15,000) is provided in the following table and brief explanations below.

MARCH REVIEW OF THE 2015/16 BUDGET PROPOSED VARIATIONS	Budget Impact Increase / (Decrease)
INCOME ADJUSTMENTS	
Note: Increase in income is an increase in working funds	
Shortfall in income is a decrease in working funds	
1. Corporate Management Rate income increase	\$500,000
2. Development Fees & Charges income increase	\$491,000
3. Corporate Interest on Investments income increase	\$46,000
4. Section 149 income increase	\$30,000
Variations under \$15,000 - Various income increases	\$3,335
Sub Total - Income Adjustments	\$1,070,335
EXPENDITURE ADJUSTMENTS	
Note: Increase in expenditure is a decrease in working funds	
Savings in expenditure is an increase in working funds	
5. Digitisation of Council's Records expense increase	(\$85,000)
6. Parks Maintenance expenditure increase	(\$40,000)
7. Western Sydney University Launch expenditure increase	(\$27,500)
Variations under \$15,000 - Various expense increases	(\$18,947)
Sub Total - Expenditure Adjustments	(\$171,447)
TOTAL - PROPOSED VARIATIONS TO BUDGET	\$898,888

1. Corporate Management Rate Income Increase \$500,000

Supplementary rate income is received upon the re-zoning or subdivision of land. It is additional rate income to the amount levied at the beginning of the financial year. The increase in rate income realised during 2015/16 is primarily due to new lots created through subdivisions in the Spring Farm, Elderslie, Oran Park and Gregory Hills land release areas.

2. Development Fees & Charges Income Increase \$491,000

Development income continues to exceed budget expectations during 2015/16. This is due to the high volume and high value of Development Applications received during the third quarter of 2015/16. This increase reflects the ongoing high development activity in the release areas of Spring Farm, Elderslie, Oran Park and Gregory Hills. The level of income received from development activity is primarily dependent on the receipt of applications from developers, and as such is somewhat difficult to project given the unprecedented growth Council is experiencing.

3. Corporate Interest on Investments Income Increase \$46,000

The third quarter performance of Council's investment portfolio has exceeded budget expectations. The primary reason for this is Council's investment portfolio is being maintained at a higher level than originally budgeted. Council's weighted return on investments for March 2016 was 3.43%, which is significantly higher than the industry average of 2.28%.

4. Section 149 Certificate Income Increase \$30,000

Additional income has been realised for Section 149 Certificates in 2015/16. This is primarily a result of growth through development.

5. Digitisation of Council's Records – Increase in Expense \$85,000

Due to the initial success of the program, additional funding is required to accelerate the digitisation of old hardcopy documents as part of finalising the implementation of Council's Digitisation Strategy due to its successful progress. On-line documents provide greater efficiencies in the management of records including ready access to historical documents resulting in improved service delivery.

6. Parks Buildings and Furniture Maintenance - Increase in Expense \$40,000

This is additional funding in 2015/16 for the repair and maintenance of existing park furniture, increased litter collection (including bin installations) and an increase in funding to manage graffiti within the LGA. Funding has also been provided to continue this work on a re-current basis as detailed in the "transfer to working funds" section of this report.

7. Western Sydney University Smart Business Launch Pad - Increase in Expense \$27,500

Council has signed a Memorandum of understanding with the Western Sydney University to establish a business launch pad at Oran Park. This facility will be a partnership project between Council, WSU, Oran Park Smart Work Hub and Urban Growth. A launch pad will provide business in the region with access to a range of high-quality assistance programs and resources designed to support innovation.

The Launch Pad will provide local businesses with a connection to the WSU students and researchers, and other business services.



Working Funds Reserve transfer (2016/17 funding)

It is proposed to transfer \$348,000 of the March Quarterly Budget Review surplus to the Working Funds Reserve. This transfer will provide funding for the following items within the 2016/17 budget:

Customer Service Positions - \$138,000

In order to continue to meet the expected customer service standard in Narellan and Camden for our residents, it has been identified that an additional two (2) Customer Service positions will be required.

Park Furniture Maintenance - \$80,000

Repairs and maintenance of existing park furniture within the LGA. This will include refurbishment, upgrade and general repairs and/or replacement as required.

Increased Litter Collection - \$100,000

Proposed improvement of services across the LGA, including key sites (e.g. Harrington Park Lake, Urban Forest, Sir Warwick Fairfax Reserve) which will include additional litter collection within our waterways.

Graffiti Removal - \$30,000

Increased budget to manage graffiti across the LGA.

It should be noted that these items will be included re-currently in Council's budget as part of considering the 2017/18 Operational Plan (Budget).

COUNCIL AUTHORISED VARIATIONS

Council has authorised 3 budget variations since the adoption of the December Review of the 2015/16 Budget. A list of these approved variations is provided in the following table:

COUNCIL APPROVED VARIATIONS	Expenditure Increase / (Decrease)	Income Increase / (Decrease)	Budget Impact Increase / (Decrease)
NSW Government grant for project management resources towards Housing Acceleration - Ingleburn Road and Rickard Road Leppington Council Resolution – 6/16 – 9/02/2016	\$300,000	\$300,000	\$0
State Library Grant and Seniors Festival Grant Council Resolution – 46/16 – 22/03/2016	\$200,920	\$200,920	\$0
Federal grant for Roadworks at Grahams Hill Road / Richardson intersection	\$3,574,804	\$3,574,804	\$0
Federal grant for Camden Valley Way/ Macarthur Road intersection upgrade	\$3,684,763	\$3,684,763	\$0
Federal grant for scoping for the Porrende Street upgrade. Council Resolution - 47/16 – 22/03/2016	\$100,000	\$100,000	\$0
Total – Council approved variations	\$7,860,487	\$7,860,487	\$0



CONTRA ADJUSTMENTS

This section deals with all offsetting adjustments between income and expenditure or a transfer of funds between allocations. These adjustments have NO impact on Council's projected budget result as both movements of income and expenditure are of equal value.

During the period 1 January 2016 to 31 March 2016, a number of contra adjustments have taken place amounting to a total of \$7,848,300. A detailed list of the adjustments is an **attachment to this report**.

CENTRAL ADMINISTRATION BUILDING RESERVE

The Central Administration Building Reserve was established as part of the planning for a new central administration building. The balance of the Central Administration Building Reserve is as follows:

CENTRAL ADMINISTRATION BUILDING RESERVE	
Reserve Balance as at 1 July 2015	\$4,309,206
Future Reserve Balance Adjustments	
Add: 2013/14 – 2016/17 Revised Delivery Program Funding (includes loan funding \$23 million)	\$27,883,500
Less: Construction and Fit out (inc Furniture & Equip)	(\$27,091,117)
Less: IT Equipment and relocation	(\$800,000)
Less: Contingency	(\$4,301,589)
Projected Reserve Balance	\$0

The current balance of the Administration Building Reserve has been fully committed to the Draft 2013/14 - 2016/17 Revised Delivery Program to assist with funding the design and construction of the new administration building.

Internal Borrowings

Internal borrowings were used to part fund the construction of the new central administration building. To date \$1.7 million has been repaid leaving a balance of \$1.3 million to be repaid from future quarterly reviews. There is no immediate need for Council to repay this balance.

Reserve	Internally Borrowed	Already Repaid	Balance	Notes
Capital Works Reserve	\$800,000	(\$800,000)	\$0	Fully Repaid. Council Resolution - 135/15 - 26/05/2015
Asset Renewal Reserve	\$900,000	(\$900,000)	\$0	Fully Repaid. Council Resolution - 135/15 - 26/05/2015 and 279/15 27/10/15
Plant Replacement Reserve	\$600,000	\$0	\$600,000	To be repaid at a future Quarterly Review
Commercial Waste Reserve	\$700,000	\$0	\$700,000	To be repaid at a future Quarterly Review
Total	\$3,000,000	(\$1,700,000)	\$1,300,000	



COUNCILLOR CONSOLIDATED WARD FUNDS

To further assist Councillors in understanding the total available funds for consideration at each budget review, the following table is provided. This table is to inform Councillors of the current balance of Consolidated Ward Funds, and where funds have been spent in this financial year.

It should be noted that the balance of Consolidated Ward Funds is over and above the projected budget surplus of \$898,888 as advised in this report.

CONSOLIDATED WARD FUNDS	
2015/16 Budget Allocation (Including Revotes)	\$89,055
Projects funded in 2015/16	
Less: DA fees for Camden Town Farm	(\$2,075)
Balance of Consolidated Ward Funds	\$86,980

SUMMARY OF MARCH REVIEW ADJUSTMENTS

The following table is a summary of budget adjustments up to 31 March 2016.

SUMMARY OF BUDGET ADJUSTMENTS	Expenditure Increase / (Decrease)	Income Increase / (Decrease)	Budget Impact Increase / (Decrease)
2013/14 Carried Forward Working Funds Balance			\$1,000,000
2015/16 Adopted Budget Position			\$0
LESS: Minimum Desired Level of Working Funds			(\$1,000,000)
Total Available Working Funds 01/07/2015			\$0
2015/16 September Review Adjustments	\$3,520,441	\$3,520,441	\$0
2015/16 December Review Adjustments	\$5,121,100	\$5,121,100	\$0
2015/16 March Review Adjustments			
NOTE 1: Proposed Variations	\$171,447	\$1,070,335	\$898,888
NOTE 2: Authorised Variations	\$7,860,487	\$7,860,487	\$0
NOTE 3: Contra Adjustments	\$7,848,300	\$7,848,300	\$0
NOTE 4: Revotes	\$0	\$0	\$0
Total - March Review Adjustments	\$15,880,234	\$16,779,122	\$898,888
Total AVAILABLE WORKING FUNDS			\$898,888

STATEMENT BY RESPONSIBLE ACCOUNTING OFFICER

The following statement is made in accordance with Clause 203(2) of the *Local Government (General) Regulation 2005*:



It is my opinion that the Quarterly Budget Review Result for Camden Council for the period ending 31 March 2016 indicates that Council's projected financial position is satisfactory. No remedial actions are required based on the financial position presented within this report.

ON-TIME PAYMENT POLICY REPORTING

At the end of each quarter Council is required to report on compliance with its adopted on-time payment policy.

Council processes approximately 11,000 invoices each year. As at 31 March 2016 the average number of days to pay small business (registered) invoices was 27 days. Interest of \$22.85 was payable on 1 overdue invoice.

CONCLUSION

The March Quarterly Budget Review surplus of \$898,888 is a pleasing result. Council continues to realise additional income through growth within the Local Government Area. This report recommends a number of transfers to reserve which will maintain Council's healthy cash position. This will also provide Council with the option to allocate additional funds to existing or new projects.

RECOMMENDED

That Council:

- i. approve the necessary budget adjustments as identified in the categories of 'Proposed Variations' and 'Contra Variations' as detailed in this report.**
- ii. approve the transfer of the projected surplus for 2015/16 of \$898,888 as follows:**

BUDGET SURPLUS ALLOCATION		
Budget Surplus Available for Allocation		\$898,888
Capital Works Reserve – Transfer to Reserve	\$291,810	
Asset Renewal Reserve – Transfer to Reserve	\$122,190	
ELE Reserve – Transfer to Reserve	\$136,888	
Working Funds Reserve – Transfer to Reserve	\$348,000	
Total - Allocation of Budget Surplus		\$898,888
Balanced Budget Position		\$0

- iii. approve the transfer of \$348,000 from the working funds reserve into the 2016/17 budget to fund the budget allocations as detailed in this report;**
- iv. approve the disposal of furniture and fittings at the Narellan administration building, Narellan parks depot, Camden administration building and the Camden SES building as detailed in this report.**



ATTACHMENTS

1. 2015-16 - March Review - Budget Appendix
2. March 2016 Review - QBRS Statement



ORDINARY COUNCIL

ORD03

SUBJECT: ROADS AND MARITIME SERVICES 2016/17 PROGRAM FUNDING

FROM: Director Community Infrastructure

TRIM #: 16/138144

PURPOSE OF REPORT

To seek Council acceptance of funding for 2016/17 under the Active Transport Program and Blackspot Program and to seek the allocation of the matching funds by Council where required from the Capital Works Reserve.

BACKGROUND

The Roads and Maritime Services (the RMS) seeks applications from Councils each year for projects under the Active Transport Program and Black Spot Program. The RMS has advised that for the 2016/17 financial year, Camden Council has been successful in securing funding of \$1.07M.

MAIN REPORT

Active Transport Program

Transport for NSW offers 50/50 funding under the Active Transport Program for pedestrian and bicycle facilities.

In line with the NSW Long Term Transport Master Plan (LTTMP), *Sydney's Walking Future*, *Sydney's Cycling Future* and the Regional Transport Plans, there is a focus on improving walking and cycling connections within major centres. The purpose of this is to increase opportunities for people to walk and ride their bikes more often in order to help reduce congestion and free up capacity on public transport, particularly around schools, workplaces and universities.

The Walking Program provides infrastructure and non-infrastructure projects on local and regional roads to improve pedestrian safety, mobility and access, particularly in areas of high pedestrian activity to break down the barriers to walking. A prerequisite for this funding is the inclusion of proposals in Council's Pedestrian Access and Mobility Plan (PAMP). The Camden PAMP was adopted by Council in June 2014.

Council has been advised by the RMS on behalf of TfNSW that the following applications have been successful in the 2016/2017 financial year:

- Cawdor Road, Camden – Reconstruct Pedestrian Refuge

Project Cost Estimate	\$50,000 (excluding GST)
Funding Offered	\$25,000 (excluding GST) (50%)

Murray Street, Camden - Design of upgrade to existing pedestrian crossing and associated works



Project Design Cost Estimate	\$60,000 (excluding GST)
Funding Offered	\$45,000 (excluding GST) (75%)

Council will need to match the funds provided in order to complete construction of these projects in the 2016/17 financial year. Location plans for the proposals are shown in **Attachment 1**.

The RMS has further advised that Council's application for funding towards a shared path between The Northern Road and Camden Valley Way, via Stewart Street, Harrington Park, has been unsuccessful. This appears to be due to a large number of applications from other Councils.

Black Spot Program

The Black Spot Program is a component of the Australian Government's Infrastructure Investment funding stream. Within New South Wales, the program is administered by the RMS which makes recommendations to the Australian Government. As a general rule, the RMS makes applications for State roads and Councils submit proposals for Regional and Local roads.

The Black Spot Program provides funds on an annual basis available for the treatment of Black Spots (defined as up to 3km in length), or Black 'lengths' (greater than 3km). Black Spot eligibility is based on a history of recorded accidents and their severity. Black Spot funds can only be spent on measures addressing these accidents.

Council has been advised by RMS on behalf of the Australian Government that funding, applications have been successful in securing 100% funding in the 2016/2017 financial year, for the following:

- Burragorang Road, Cawdor Road, Cawdor – Upgrade traffic signals, introduce controlled right turn phase

Project Cost Estimate	\$450,000 (excluding GST)
Funding Offered	\$450,000 (excluding GST)

- Deepfields Road, between Camden Valley Way and Barry Avenue, Catherine Field - Widen shoulder, install Curve Alignment Markers (CAMs), associated signage, remove hazards, improve shoulder, upgrade T-junction

Project Cost Estimate	\$550,000 (excluding GST)
Funding Offered	\$550,000 (excluding GST)

Location plans are shown in **Attachment 1**.

FINANCIAL IMPLICATIONS

Council is required to commit partial funding in accepting the funding under the Active Transport Program. It is proposed that \$40,000 funding be allocated from the Capital Works Reserve for 2016/17, to match the funding for the two successful projects under this program.

There are no financial implications for Council in accepting the Black Spot Program funding under the Australian Government's Infrastructure Investment funding stream as Council has been awarded 100% funding for these works.



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

CONCLUSION

The RMS has advised Council of a number of allocations of grant funding available in 2016/17, some of which require matching Council contributions. It is recommended that Council accept the funding offered from the Active Transport Program and provide matching funding from the Capital Works Reserve.

It is also recommended that Council accept the funding offered from the Black Spot Program.

RECOMMENDED

That Council:

- i. accept Transport for NSW funding of \$70,000 (excluding GST) under the Active Transport Program towards Cawdor Road Pedestrian Refuge and Murray Street Pedestrian Crossing design, with matching Council funding of \$40,000 being sourced from the Capital Works Reserve;**
- ii. accept Australian Government funding of \$1,000,000 (excluding GST) under the Black Spot Program towards Burragorang Road / Cawdor Road traffic signals and Deepfields Road shoulder improvements;**
- iii. authorise the relevant documentation to be completed under Council's Power of Attorney, granted on 23 February 2016, Minute Number ORD15/16; and**
- iv. write to the (State) Minister for Roads and Freight, the State Member for Camden, the (Federal) Minister for Infrastructure and Regional Development and the Federal Member for Macarthur, thanking them for their assistance.**

ATTACHMENTS

1. Location Map - Roads and Maritime Services - 2016/17 Program Funding



ORDINARY COUNCIL

ORD04

SUBJECT: ACCEPTANCE OF FUNDING – UPPER SOUTH CREEK FARM DAMS REVIEW

FROM: Director Community Infrastructure

TRIM #: 16/161798

PURPOSE OF REPORT

To seek Council acceptance of funding from the Department of Planning and Environment to support further flood analysis associated with large farm dams within the South West Growth Centre.

BACKGROUND

Council has been offered funds by the Department of Planning and Environment to undertake the next phase of investigation involving assessment of the benefits of dams located in the South West Growth Centre. In order to further clarify this issue, discussions were held with the Department of Planning and Environment to seek funding assistance to undertake further flood modelling.

MAIN REPORT

The Department has offered funds of \$30,000 to undertake the next phase of the investigation, which involves more detailed assessment of the benefit of the dams located within the South West Growth Centre.

FINANCIAL IMPLICATIONS

There are currently no budget implications for Council in the acceptance of this funding at this time.

CONCLUSION

The Department of Planning and Environment has offered funding of \$30,000 to allow further investigation within the Upper South Creek Catchment.

The funding will allow this investigation to proceed, and it is recommended that Council accept the funding offer from the Department.

RECOMMENDED

That Council accept the Department of Planning and Environment's funding of \$30,000 (excluding GST) for the further investigation of flood storage needs in the Upper South Creek Catchment.



ORDINARY COUNCIL

ORD05

SUBJECT: TENDER T008/2015 - SUPPLY, INSTALLATION AND MAINTENANCE OF ADVERTISING BUS SHELTERS

FROM: Director Community Infrastructure

TRIM #: 16/63754

PURPOSE OF REPORT

To provide details of the tender received for contract T008/2015, being the Supply, Installation and Maintenance of Advertising Bus Shelters and to recommend that Council reject the sole tender (which was non-compliant) submitted by Adshel Pty Ltd, and proceed with further negotiations with Adshel Pty Ltd.

BACKGROUND

Consideration has been given to tender for the supply, installation and maintenance of some bus shelters within the LGA to a third party, and a combined Expression of Interest (EOI) and tender process has been implemented to identify opportunities for this approach.

The shelters would be installed and maintained at the cost of the successful party, with a significant financial benefit to Council, as Council will be able to avoid the costs of supply, installation and maintenance for these shelters. Once the shelters are installed, the contractor would be permitted to sell advertising space on the shelters to recover costs.

MAIN REPORT

Expression of Interest (EOI)

Expressions of interest were requested from suitably qualified and experienced companies willing to be pre-selected to tender for supply, installation and maintenance of advertising bus shelters at 65 selected locations on State Roads, Regional Roads and in some town centres within the Camden LGA.

The invitation was advertised in the local newspaper and Sydney Morning Herald. Submissions closed at 3:00 pm on 19 December 2014 with the following submissions received:

1. Adshel Street Furniture Pty Ltd
2. Overexposure Urban Pty Ltd
3. Claude Outdoor

Tender Submissions

The tender invitation proposed a number of sites, which were identified as providing a good outcome for supporting bus services, and were on highly used routes that would nominally be attractive from an advertising perspective.



The selection criteria to be used in determining the Successful Tenderer was outlined in the Request for Tender documentation, including:

- past performance and experience;
- degree of compliance with the requirements of the tender;
- WHS policy;
- policy on suitable advertising controls;
- response time for repairs;
- proposed preventative maintenance program;
- the design and style of bus shelters offered;
- proposed delivery program; and
- percentage of revenue offered to Council.

Tender Evaluation

Only one submission was received, from Adshel Street Furniture Pty Ltd. This tender is non-conforming as it does not respond to the supply criteria or term of contract. The submission is deemed reasonable in regards to the other selection criteria.

Subsequent to the tender review, Adshel were requested to clarify the scope of the non-conforming elements of their tender submission. This has been drawn out, due to delays in receiving this further information.

In view of the current clarifications to date and to place the discussions within a more formal framework, it is recommended that Council formally reject the tender, and enter into formal negotiations with Adshel.

Under Section 178 of the *Local Government (General) Regulation – Acceptance of Tenders*, Council is required (in part) to:

After considering the tenders submitted for a proposed contract, the council must either:

- *accept the tender that, having regard to all the circumstances, appears to it to be the most advantageous, or*
- *decline to accept any of the tenders.*

A council that decides not to accept any of the tenders for a proposed contract or receives no tenders for the proposed contract must, by resolution, do one of a number of actions.

The relevant action is:

- *enter into negotiations with any person (whether or not the person was a tenderer) with a view to entering into a contract in relation to the subject matter of the tender.*

If a council resolves to enter into negotiations, the resolution must state the following:

- *the council's reasons for declining to invite fresh tenders or applications,*
- *the council's reasons for determining to enter into negotiations with the person or persons.*

It is therefore recommended that Council formally decline to accept any tender, and that negotiations be entered into with Adshel with a view to establishing a suitable contract for presentation to a future meeting of Council.

The reasons for declining to invite fresh tenders include:

- Council has already undertaken an extensive EOI and tender process, with only one non-compliant tender being received;
- The market for this product is limited to a small number of companies; and
- The non-compliant tender from Adshel Pty Ltd provides an acceptable way for Council to progress the sourcing of bus shelters.

The reasons for determining to enter into negotiations with Adshel are as follows:

- It was the only company to provide a tender response, although non-conforming;
- The review of the tender offer and clarifications sought to date indicate that a competitive offer can be achieved;
- Adshel is a leading company in the provision of advertising bus shelters; and
- Adshel already has a significant presence in the region, with similar contracts with other Councils.

A further report will be presented to Council, anticipated to be later in 2016.

FINANCIAL IMPLICATIONS

There are no financial implications as a result of this report.

CONCLUSION

Adshel has provided a non-conforming tender for advertising bus shelters. The company has a proven track record of performance on contracts of a similar nature and the tender assessment concludes that an offer by Adshel may represent good value to Council, subject to further negotiation.

It is therefore recommended that Council decline all tenders, and to resolve to enter into formal negotiations with Adshel Pty Ltd with a further report to be presented to Council on the outcome of the negotiations.

RECOMMENDED

That Council:

- decline to accept any tender for the supply, installation and maintenance of advertising bus shelters for the following reasons:**
 - Council has already undertaken an extensive EOI and tender process, with only one non-compliant tender being received;**
 - the market for this product is limited to a small number of companies;**
 - the non-compliant tender from Adshel Pty Ltd provides an acceptable way for Council to progress the sourcing of bus shelters;**



-
- ii. enter into direct negotiations with Adshel Street Furniture Pty Ltd to establish a potential contract for the supply, installation and maintenance of Advertising Bus Shelters, for the following reasons:
- a. it was the only company to provide a tender response, although non- conforming;
 - b. the review of the tender offer and clarifications sought to date indicate that a competitive offer can be achieved;
 - c. Adshel is a leading company in the provision of advertising bus shelters;
 - d. Adshel already has a significant presence in the region, with similar contracts with other Councils;
- iii. receive a further report following completion of negotiations with Adshel.