



Camden Council

Business Paper

Ordinary Council Meeting
23 July 2019

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
CRET	Camden Region Economic Taskforce
DA	Development Application
DCP	Development Control Plan
DDCP	Draft Development Control Plan
DPI	Department of Planning & Industry
TfNSW	Transport for NSW
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
REP	Regional Environmental Plan
PoM	Plan of Management
RL	Reduced Levels
S10.7 CERTIFICATE	Certificate as to zoning and planning restrictions on properties
S603 CERTIFICATE	Certificate as to Rates and Charges outstanding on a property
S73 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

General Manager
Ron Moore

Mayor
Theresa Fedeli

Director Customer and
Corporate Strategy
Tim Butler

Director Sport
Community and Recreation
Tina Chappell

Chief Financial Officer
Paul Rofe

Director Planning and Environment
Nicole Magurren

Director Community Assets
Sandra Kubecka

SEATING DIAGRAM

Camden Ordinary Council Meeting

Deputy Mayor
Rob Mills

Councillor
Peter Sidgreaves

Councillor
Lara Symkowiak

Councillor
Michael Morrison

Councillor
Eva Campbell

Councillor
Ashleigh Cagney

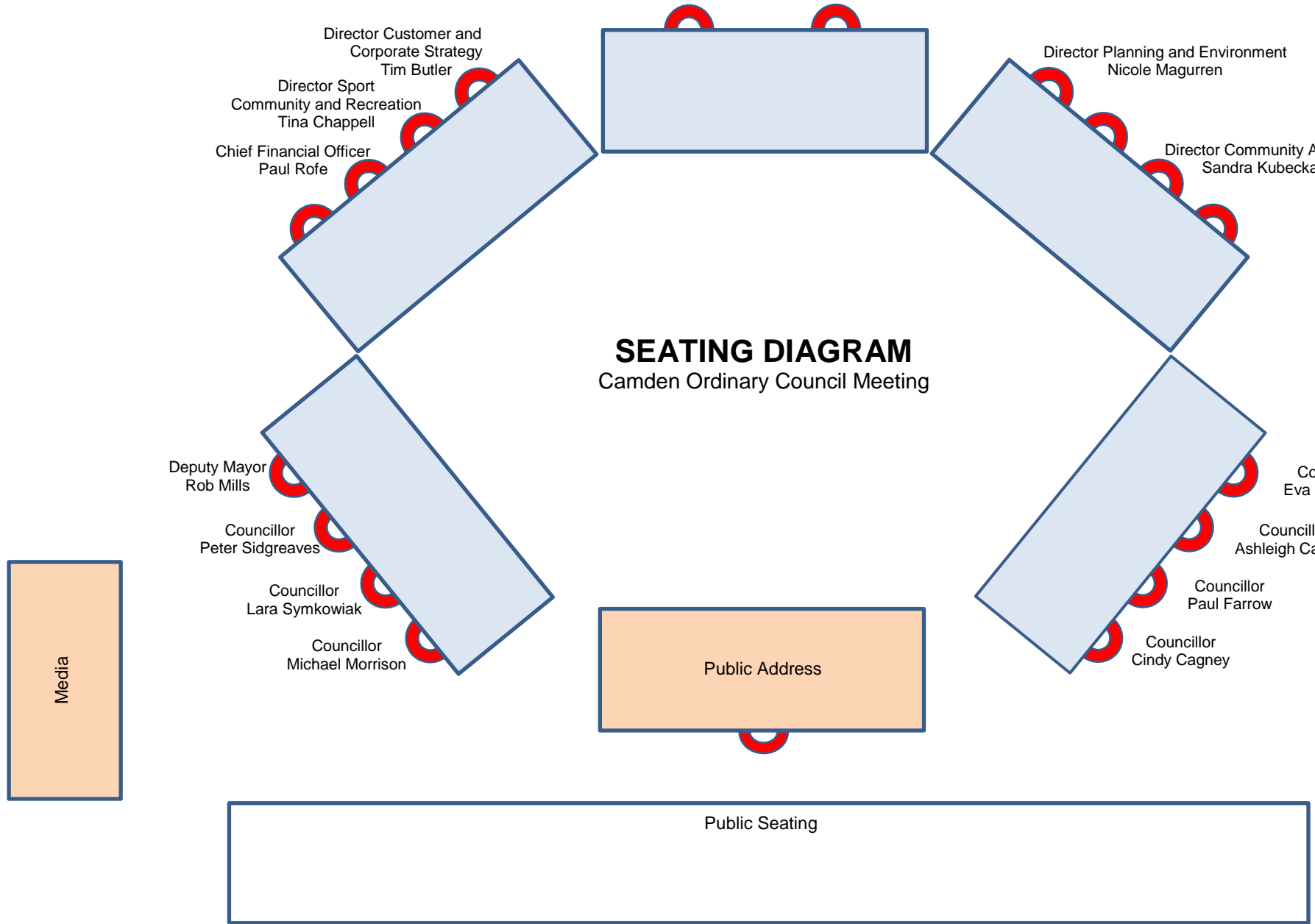
Councillor
Paul Farrow

Councillor
Cindy Cagney

Media

Public Address

Public Seating



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: LEAVES OF ABSENCE

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

RECOMMENDED

That leaves 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 4.28-5.19).

Councillors should be familiar with the disclosure provisions contained in 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 9 July 2019.

RECOMMENDED

That the Minutes of the Ordinary Council Meeting held 9 July 2019, 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: CAMDEN LEP 2010 AMENDMENT - MINIMUM LOT SIZE AND FRONTAGE CONTROLS FOR DUAL OCCUPANCY AND MULTI DWELLING HOUSING

FROM: Director Planning and Environment

TRIM #: 19/180496

PREVIOUS ITEMS: ORD02 - Addition of Minimum Lot Controls in Camden LEP 2010 - Ordinary Council - 24 Jul 2018 6.00pm

PURPOSE OF REPORT

The purpose of this report is to advise Council on the outcome of the public exhibition of the draft Planning Proposal to amend the Camden Local Environmental Plan 2010 (Camden LEP 2010) to include minimum lot size and frontage controls for dual occupancy and multi dwelling housing.

The report recommends Council endorse the draft Planning Proposal and forward the Planning Proposal to the Department of Planning, Industry and Environment (DPIE) for finalisation.

The draft Planning Proposal is included as an **attachment** to this report.

BACKGROUND

Low-rise Medium Density Housing Code

In May 2018, the Department of Planning, Industry and Environment (DPIE) released the Low-Rise Medium Density Housing Code (MDHC), which allows dual occupancies, manor houses and medium density housing (terraces) as complying development. Further, the MDHC allows these types of development on minimum lot sizes and frontages below that currently applicable in the Camden LGA.

On 5 July 2018, the DPIE gazetted an amendment to *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* (Codes SEPP) which deferred the application of the MDHC in the Camden LGA until 1 July 2019.

The deferral provided the opportunity for Council to review the Camden LEP 2010 to include appropriate controls relating to lot size and frontage. On 28 June 2019, the Minister for Planning and Public Spaces granted a further deferral until 31 October 2019.

The draft Planning Proposal amends the Camden LEP 2010 to introduce minimum lot size and minimum frontage controls for dual occupancy and multi dwelling housing.

Previous Council Resolution

On 24 July 2018, Council resolved to endorse the draft Planning Proposal for a Gateway Determination and public exhibition.

A copy of the previous Council report is provided as an **attachment** to this report.

Camden Local Planning Panel Recommendation

On 21 August 2018, the Camden Local Planning Panel (Panel) considered the draft Planning Proposal in a closed session. The Panel recommended that Council proceed with the draft Planning Proposal as adopted by Council on 24 July 2018 and that the submission to DPIE include:

- details of the contribution towards current and future medium density housing within the whole of the Camden LGA inclusive of the land zoned under Camden LEP and under the Growth Centres SEPP; and
- an explanation as to why the controls proposed in the Planning Proposal are considered to be superior to the controls included in the MDHC.

A copy of the Panel minutes is provided as a **supporting document**.

Gateway Determination

The Gateway Determination was issued on 18 October 2018. The Gateway Determination required analysis to support the proposed controls including:

- the number of lots impacted by the existing, proposed and MDHC controls for dual occupancy and multi-dwelling housing; and
- the number of approved dual occupancy and multi dwelling houses approved by Council over the previous 5 years.

The Gateway Determination also required Council to write to all affected landowners outlining the effect of the proposed controls as part of the public exhibition.

The draft Planning Proposal was publicly exhibited from 7 May 2019 to 18 June 2019.

Councillors were briefed on the draft Planning Proposal on 26 June 2018, 14 May 2019 and 25 June 2019.

MAIN REPORT

The draft Planning Proposal seeks to amend the Camden LEP 2010 to include minimum lot size and minimum frontage controls for dual occupancies and multi dwelling housing.

The draft Planning Proposal includes the following controls:

- Dual occupancies:
 - 600 sqm minimum lot size or 800 sqm on corner lots;
 - 18m minimum frontage where dwellings are directly behind one another; or
 - 22m where dwellings are side by side.
- Multi dwelling housing:
 - 1,500 sqm minimum lot size; and
 - 25m minimum frontage.

These controls reflect the existing controls and established character of the Camden LGA and maintain the current development standards in the Camden DCP 2011 and draft Camden DCP.



If the draft Planning Proposal does not proceed, the MDHC will allow dual occupancy and multi dwelling housing as complying development with the following controls:

- Dual occupancies:
 - 400m² minimum lot size with 12m frontage.
- Multi dwelling housing:
 - 600m² minimum lot size with 15m frontage.

Public Exhibition

The draft Planning Proposal was publicly exhibited from 7 May 2019 to 18 June 2019. To meet the requirements of the Gateway Determination all affected land owners were notified resulting in over 19,000 notification letters.

Three public information sessions were held during the exhibition. This involved responding to approximately 60 face to face enquires. In total, over 900 enquiries were received by Council officers during the public exhibition.

Ten submissions were received during the public exhibition expressing a range of views, including:

- Eight community submissions raising concerns, including one objection, and one petition containing 20 signatures; and
- Two public agency submissions (no objections raised).

The submissions are provided as a **supporting document**. The key issues raised in the submissions are considered below.

Community Submissions

1. The proposal will increase the Camden population through dual occupancy development.

Officer Comment

The draft Planning Proposal does not increase the permissibility of dual occupancy development and maintains current development standards. The proposal will not increase the number of dual occupancy developments or have additional impacts on population growth.

If the draft Planning Proposal does not proceed, the MDHC is likely to increase the number of dual occupancy and multi dwelling housing developments as it permits these types of development as complying development on lots smaller than what is currently permitted by Council's controls.

2. The increased density will reduce private green spaces and thereby add to the Heat Island effect.

Officer Comment

The draft Planning Proposal does not increase density or the permissibility of dual occupancy and multi dwelling housing. The proposal does not amend existing landscape area and private open space controls in the MDHC, Camden DCP 2011 or draft Camden DCP.

3. Additional consideration should be given to building design, in particular solar orientation and eave widths.

Officer Comment

The draft Planning Proposal does not amend the existing building design controls for solar orientation and eave widths in the MDHC, Camden DCP 2011 and draft Camden DCP. Building design controls are matters for consideration in the DCP. It is outside the scope of the draft Planning Proposal to address this matter.

4. Concerns regarding excessive land clearing for new estates should be addressed.

Officer Comment

Land clearing and residential subdivision controls are outside the scope of the draft Planning Proposal.

5. The proposal will negatively affect the current rural setting.

Officer Comment

The draft Planning Proposal does not increase the permissibility of dual occupancy and multi dwelling housing. As such, the proposal will have no impact on the rural setting.

6. There are insufficient services (schools, roads, water and sewer) to support the additional growth resulting from the proposal.

Officer Comment

The draft Planning Proposal does not increase the permissibility of dual occupancy and multi dwelling housing. The proposal will have no additional impact on local roads and services.

7. The proposal may trigger the redevelopment of local childcare centres.

Officer Comment

The draft Planning Proposal does not increase the permissibility of dual occupancy and multi dwelling housing. It is outside the scope of the draft Planning Proposal to address this matter.

8. The MDHC should be applied to R3 Medium Density Residential lots in close proximity the Narellan Town Centre to increase the density.

Officer Comment

The R3 Medium Density Residential zone permits a variety of residential accommodation including multi dwelling housing, dual occupancies, residential flat buildings, and attached dwellings. These dwelling types enable increased density on R3 zoned land close to Narellan Town Centre.

The proposed multi dwelling housing minimum lot size of 1,500m² is consistent with the Growth Centres SEPP controls.

The need for additional housing in specific areas, such as close to Narellan Town Centre will be considered in the Housing Strategy as part of the LEP Review project.

9. The MDHC controls should be preserved as set by the DPIE.

Officer Comment

The draft Planning Proposal reflects Council's existing controls for dual occupancy and multi-dwelling housing. The controls within the MDHC are inconsistent with the established character of the Camden LGA.



It is not recommended that Council adopt the controls in the MDHC as they allow dual occupancy and multi dwelling housing on lots smaller than what is currently permitted in Camden. This is likely to impact on density, the character of established areas and Council's ability to provide sufficient local infrastructure for the community.

10. The dual occupancy minimum lot size should be increased to 800m².

Officer Comment

The draft Planning Proposal maintains existing controls for dual occupancy and multi-dwelling housing. Increasing the minimum lot size to 800m² would reduce the permissibility of dual occupancy development.

11. The multi dwelling housing minimum lot size should be increased to 2,000m² to allow for additional parking.

Officer Comment

The parking controls in the MDHC, Camden DCP 2011 and draft Camden DCP set the minimum number of car spaces for multi dwelling housing. Increasing the minimum lot size for multi dwelling housing to 2,000m² would not necessarily increase parking. This proposal does not consider any change to the current parking controls.

12. The proposal should review the parking ratios to allow for 3 spaces per dual occupancy dwelling to reduce on street parking and traffic accessibility.

Officer Comment

The parking controls in the MDHC, Camden DCP 2010 and draft Camden DCP require a minimum of two spaces per dual occupancy dwelling. It is outside the scope of the draft Planning Proposal to review the current car parking controls for dual occupancy.

13. The proposal should allow for lot width variations.

Officer Comment

Clause 4.6 of Camden LEP 2010 permits variations to development standards based on planning merit. No further amendments are required to allow for variations to the minimum lot size and frontage controls included in the draft Planning Proposal.

14. The proposal is inconsistent with Clause 4.1A of the CLEP 2010.

Officer Comment

Clause 4.1A of Camden LEP 2010 allows the subdivision of attached dwellings and semi-detached dwellings in a permitted area of Spring Farm.

Attached dwellings are defined as three or more dwellings attached by a common wall, and each dwelling on its own land. Semi-detached dwellings are defined as a dwelling on its own land and attached to another dwelling.

This differs from dual occupancy dwellings, defined as two dwellings on a single lot, either attached or detached. Any assessment involving Clause 4.1A would be unrelated to the assessment of a dual occupancy dwelling.

15. The proposal is inconsistent with the Greater Sydney Region Plan (Region Plan) and Western City District Plan (District Plan) regarding the provision of affordable housing.

Officer Comment

The draft Planning Proposal includes an assessment against the Region and District Plans, including the provision of affordable housing.

The provision of housing across the Camden LGA, including the provision for affordable housing, will be addressed in the Housing Strategy as part of the LEP Review project. It is outside the scope of the draft Planning Proposal to address this matter.

Next Steps

Council has not been delegated plan-making functions under *Environmental Planning and Assessment Act 1979*. It is recommended that Council adopt the draft Planning Proposal as exhibited and request the DPIE finalise the plan.

FINANCIAL IMPLICATIONS

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

CONCLUSION

The draft Planning Proposal seeks to amend the Camden LEP 2010 to insert minimum lot size and frontage controls for dual occupancies and multi dwelling housing. The proposed controls respond to potential increased density and character impacts associated with the State Government's MDHC which comes into effect on 31 October 2019.

Ten submissions were received as a result of the public exhibition, including one objection, and one petition containing 20 signatures. The submissions have been considered and no amendments to the draft Planning Proposal are recommended.

It is recommended that Council endorse the draft Planning Proposal.

RECOMMENDED

That Council:

- i. endorse the draft Planning Proposal (as exhibited);**
- ii. forward the draft Planning Proposal to the Department of Planning, Infrastructure and Environment to make the plan; and**
- iii. notify community members who made a submission of Council's decision.**

ATTACHMENTS

1. Planning Proposal - Minimum Lot Size and Frontage Controls for Dual Occupancy and Multi Dwelling Housing - as exhibited
2. Previous Council Report - Minimum Lot Size for Dual Occupancy and Multi Dwelling Housing - 24 July 2018
3. Submissions Response Table
4. Submissions MLS - *Supporting Document*
5. Closed Camden Local Planning Panel Minutes - 21 August 2018 - *Supporting Document*



ORDINARY COUNCIL

ORD02

**SUBJECT: NOTICE TO THE MINISTER FOR WATER, PROPERTY AND HOUSING
OF COUNCIL'S NATIVE TITLE MANAGERS**

FROM: Director Customer & Corporate Strategy

TRIM #: 19/194668

PURPOSE OF REPORT

The purpose of this report is to obtain a resolution of Council to give notice to the Minister for Water, Property and Housing of the name and contact details of Council's Native Title Managers.

BACKGROUND

New legislation has been introduced by the State Government that changes the way Crown Land is managed by Councils. The new legislation includes specific provisions for compliance with the *Native Title (New South Wales) Act 1994* (the Act). The provisions require Council to appoint a Native Title Manager.

A Councillor briefing was held on 9 July 2019 regarding this matter.

MAIN REPORT

A Native Title Manager is a person who has undertaken the approved training, facilitated jointly by the Crown Solicitor's Office and the Department of Planning, Industry and Environment – Crown Lands, and holds the necessary qualification issued by the Department of Planning, Industry and Environment – Crown Lands.

Council officers Chantel Fenech, Property Services Coordinator, and Monique Favelle, Property Officer, attended this training and attained the Native Title Manager qualification.

In accordance with Section 8.8 of the *Crown Land Management Act 2016*, Council is required to give notice to the Minister for Water, Property and Housing of the name and contact details of Council's employed Native Title Managers.

FINANCIAL IMPLICATIONS

No financial implications relating to this responsibility have been identified at this stage.

CONCLUSION

Council must employ or engage at least one Native Title Manager to ensure dealings with Crown Land comply with any applicable provisions of the the Act.

In accordance with Section 8.8 of the Act, Council is required to give notice to the Minister for Water, Property and Housing of the name and contact details of Council's employed Native Title Managers.

This report recommends that Council appoint the Property Services Coordinator, Chantel Fenech, and Property Officer, Monique Favelle, as its Native Title Managers.

RECOMMENDED

That Council:

- i. appoint the Property Services Coordinator, Chantel Fenech, and Property Officer, Monique Favelle, as its Native Title Managers;**
- ii. give notice to The Hon. Melinda Pavey MP, Minister for Water, Property and Housing of the contact details of Council's Property Services Coordinator, Chantel Fenech, and Property Officer, Monique Favelle, as its Native Title Managers, as required under Section 8.8 of the *Crown Land Management Act 2016*.**



ORDINARY COUNCIL

ORD03

SUBJECT: ADOPTION OF VOLUNTEER MANAGEMENT POLICY
FROM: Director Customer & Corporate Strategy
TRIM #: 19/196501

PURPOSE OF REPORT

The purpose of this report is to recommend that Council adopt the Volunteer Management Policy.

BACKGROUND

The Volunteer Management Policy (Policy) has been revised as part of a wider organisational policy review process. Under Council's Policies and Procedures Guidelines, there is no requirement for this Policy to be publicly exhibited.

A Councillor briefing was held on this matter on 9 July 2019.

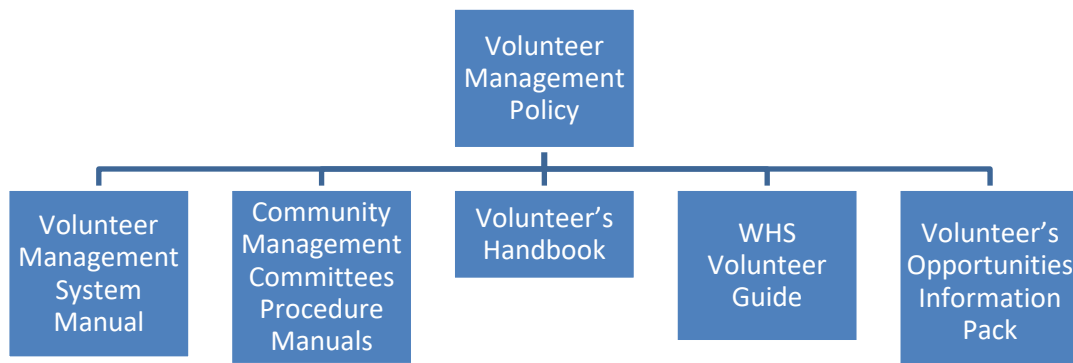
MAIN REPORT

Council recognises the importance of volunteering and the contribution volunteers make to the Camden community is highly valued.

The Policy aims to:

- Ensure the health, safety and wellbeing of volunteers;
- Provide greater clarity in relation to the approval processes associated with volunteer activities and to ensure volunteers are treated with equity, fairness and respect;
- Provide an over-arching framework for consistent volunteer management across Council;
- Clarify the role of Council in the provision of oversight and guidance to volunteers
- Establish a high quality and consistent approach to recruiting, training and managing volunteers across all areas and activities protected in the workplace.

The Volunteer Management Policy provides guidance for the development and review of Council's volunteer manuals, handbooks, guidelines and information packs as outlined below.



A copy of the Policy is provided as an **attachment** to this report.

FINANCIAL IMPLICATIONS

There are no financial implications of this Policy.

CONCLUSION

Council has updated the Volunteer Management Policy to reflect best practice and to recognise the contribution volunteers make to our community. The Policy provides greater clarity for both volunteers and Council staff responsible for the supervision of volunteer activities and is recommended for adoption by Council.

RECOMMENDED

That Council adopt the Volunteer Management Policy as attached to this report.

ATTACHMENTS

1. Volunteer Management Policy



ORDINARY COUNCIL

ORD04**SUBJECT: FEEDBACK POLICY AND UNREASONABLE CUSTOMER CONDUCT POLICY****FROM:** Director Customer & Corporate Strategy**TRIM #:** 19/161188

PURPOSE OF REPORT

The purpose of this report is to recommend that Council adopt the Feedback Policy and the Dealing with Unreasonable Customer Conduct Policy.

BACKGROUND

The Feedback Policy (formerly Complaints Management Policy) has been reviewed and refined and a new Dealing with Unreasonable Customer Conduct Policy has been developed. The policies are provided as **attachments** to this report.

A Councillor briefing was held 16 July 2019 to consider these policies.

MAIN REPORT

Feedback Policy (formerly Complaints Management Policy)

The Complaints Management Policy has been reviewed with a view to clarifying the options available to customers to lodge feedback and the process Council officers are to follow if in receipt of a complaint or compliment.

Revisions made to the policy include:

- Inclusion of policy objective and scope;
- Definitions for 'compliments' and 'complaints';
- Detail on how compliments and complaints will be handled by Council;
- Refinements to the complaint management process;
- Inclusion of service standards for acknowledging and responding to feedback.

The revised policy is modelled on the NSW Ombudsman's model Complaints Management Policy (2015).

Dealing with Unreasonable Customer Conduct Policy

The Dealing with Unreasonable Customer Conduct Policy is modelled on the NSW Ombudsman's model Unreasonable Complainant Conduct Policy (2013).

The Dealing with Unreasonable Customer Conduct Policy has been developed to clearly outline what customer conduct is classed as 'unreasonable' and how unreasonable customer conduct will be managed. The policy outlines the process for dealing with unreasonable customer conduct incidents.

FINANCIAL IMPLICATIONS

This report has no financial implications.

CONCLUSION

The Feedback Policy and Dealing with Unreasonable Customer Conduct Policy reflect best practice approaches to feedback handling and managing unreasonable customer conduct. The policies are recommended for adoption.

RECOMMENDED

That Council:

- i. adopt the Feedback Policy as attached to this report; and**
- ii. adopt the Dealing with Unreasonable Customer Conduct Policy as attached to this report.**

ATTACHMENTS

1. Dealing with Unreasonable Customer Conduct Policy
2. Feedback Policy (formerly Complaints Management Policy)



ORDINARY COUNCIL

ORD05

**SUBJECT: SECTION 355 COMMUNITY MANAGEMENT COMMITTEE
PROCEDURAL MANUALS**

FROM: Director Sport, Community & Recreation

TRIM #: 19/201554

PURPOSE OF REPORT

The purpose of the report is to recommend that Council adopt the revised Section 355 Committee Procedural Manuals as **attached** to this report.

BACKGROUND

An internal audit of Section 355 Community Management Committees for the Camden Bicentennial Equestrian Park and Camden Town Farm was undertaken against Council's policies and procedures, regulatory requirements and best practice. The audit recommended a number of improvements to the Procedural Manual for Community Management Committees.

Revised procedural manuals for Community Management Committees have been drafted for each of Council's Section 355 Community Management Committees. Preparation of individual manuals for each committee has enabled more comprehensive procedures that are tailored to the purpose of each committee.

The matter was briefed to Council on 14 May 2019 and 9 July 2019.

MAIN REPORT

Section 355 of the Local Government Act 1993 allows Council to delegate authority to committees to manage some of Council's facilities or functions. Council has resolved to delegate responsibility to four Community Management Committees, being:

- Camden Bicentennial Equestrian Park Committee;
- Camden Town Farm Committee;
- Camden International Friendship Association; and
- Camden Seniors Programs Committee.

This manual outlines the responsibilities, functions and operations of each Community Management Committee, and clarifies Council's role. The Committees are required to comply with the adopted Procedure Manual.

An internal audit of Section 355 Community Management Committees was undertaken to identify and assess the:

- key processes and controls around day to day running of the Bicentennial Equestrian Park and Camden Town Farm;
- compliance with the Procedure Manual for Community Management Committees; and

- appropriateness of the requirements contained in the manual for the operation of the Committees and to ensure that they are in accordance with the relevant NSW Local Government policy, legislation, guidelines and best practice.

The audit recommended that amendments be made to the Procedural Manual for Community Management Committees.

A procedural manual tailored to each Community Management Committee, has been drafted and is provided as an attachment to this report.

The draft manuals were provided to the Section 355 Committees for review. The draft manuals were largely considered to provide the Committees with clarity around their roles and responsibilities.

Feedback received through this process has been considered and incorporated where appropriate.

To ensure that the manual is reasonably practicable for the day to day operations of each Committee, it is recommended that a review of the manuals is undertaken in twelve months

FINANCIAL IMPLICATIONS

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

CONCLUSION

Following an audit of Section 355 Community Management Committees, a revised Procedural Manual for each Community Management Committee has been drafted. The new manuals provide the Committees with improved clarity around their role and responsibilities.

It is recommended that a further review of the manuals is undertaken in twelve months, to ensure that the manuals support the operations of the specific committees.

RECOMMENDED

That Council:

- adopt the Section 355 Procedural Manual for the Section 355 Community Management Committees, being Camden Bicentennial Equestrian Park, Camden Town Farm, Camden International Friendship Association and Camden Seniors Committee;**
- write to each of the Section 355 Community Management Committees advising of the new procedural manual and thank them for feedback received as part of the drafting process; and**
- receive a report back on Section 355 Procedural Manuals following 12 months of implementation.**

ATTACHMENTS

1. Draft S355 Manual - Bicentennial Equestrian Park
2. Draft S355 Manual - Camden Town Farm
3. Draft S355 Manual - Camden International Friendship Association
4. Draft S355 Manual - Camden Seniors Programs Committee



ORDINARY COUNCIL

ORD06

SUBJECT: INVESTMENT MONIES - JUNE 2019
FROM: Director Customer & Corporate Strategy
TRIM #: 19/196653

PURPOSE OF REPORT

In accordance with Part 9, Division 5, Section 212 of the *Local Government (General) Regulation 2005*, a list of investments held by Council as at 30 June 2019 is provided.

MAIN REPORT

The weighted average return on all investments was 2.82% p.a. for the month of June 2019. The industry benchmark for this period was 1.62% (Ausbond Bank Bill Index).

The Responsible Accounting Officer (the Chief Financial Officer) has certified that all investments have been made in accordance with Section 625 of the *Local Government Act 1993*, the relevant regulations and Council's Investment Policy.

Council's Investment Report is provided as an **attachment** to this report.

RECOMMENDED

That Council:

- i. **note that the Responsible Accounting Officer has certified that all investments held by Council have been made in accordance with the *Local Government Act 1993*, Regulations, and Council's Investment Policy;**
- ii. **note the list of investments for June 2019; and**
- iii. **note the weighted average interest rate return of 2.82% p.a. for the month of June 2019.**

ATTACHMENTS

1. Investment Report - June 2019

ORDINARY COUNCIL

ORD07

SUBJECT: TENDER T010/2019 – CONSTRUCTION OF CATHERINE PARK COMMUNITY CENTRE AND SPORTS AMENITIES

FROM: Director Community Assets

TRIM #: 19/191029

PURPOSE OF REPORT

The purpose of this report is to provide details of the tenders received for Contract T010/2019, being the Construction of Catherine Park Community Centre and Sports Amenities, and to recommend that Council accept the tender submitted by Belmadar Pty Ltd.

BACKGROUND

Council has allocated section 7.11 developer contributions within the current budget for the construction of a combined multipurpose community centre and sports amenities at Catherine Park sports field.

The project site is located along Catherine Park Drive on a sports field being delivered by Harrington Estates under the Catherine Park Voluntary Planning Agreement.



Catherine Park Sports field Location Plan



The proposed multipurpose facility will include:

Community Centre

- Community hall and kitchen
- Meeting room
- Amenities
- Outdoor Area

Sports Amenities

- Changerooms
- Amenities
- Store Rooms
- Referee and first aid rooms
- Kiosk
- Landscaping

Councillors were briefed on the proposal on 8 March 2019.

MAIN REPORT

Invitation to Tender

To ensure high quality submissions were received, procurement of a building contractor for the project was 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 the procurement process was for a tender with the selected companies.

The invitation to submit an expression of interest was advertised on 12 September 2018. The EOI closed on 3 October 2018 with 20 submissions received. Seven companies were assessed as suitable for participating in the tender process.

The selected list of companies invited to tender were as follows, listed in alphabetical order:

<i>Company</i>	<i>Location</i>
Avant Constructions Pty Ltd	Glendenning, NSW
AXIS Constructions	Wetherill Park, NSW
Belmadar Pty Ltd	Naremburn, NSW
Dynamic Projects (AUS) Pty Ltd	Moorebank, NSW
HPAC Pty Ltd	Lane Cove, NSW
Project Coordination (Australia) Pty Ltd	Unanderra, NSW
Westbury Constructions	Bella Vista, NSW

Tender Submissions

The selected companies were invited to submit tenders on 13 May 2019. The tenderers were asked to provide a lump sum price for the works. Tender returns closed on 12 June 2019. Six tenders were received, one being non-conforming.

Tender Evaluation

The intention of the tender process was 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 a weighting of 70% and non-price factors a weighting of 30%.

Non-price factors considered for this project included:

- Methodology;
- Conditions and qualifications;
- Current commitments and capacity;
- Proposed team;
- Program; and
- Work Health and Safety.

Belmadar Pty Ltd provided the best value tender in terms of cost and meeting the requirements of Council's tender documentation. It has a proven track record in constructing works of a similar nature and scale.

The panel members agreed unanimously that the tender submission by Belmadar Pty Ltd represented the best value to Council.

The tender process was also reviewed by the Tender Compliance Panel.

A summary of the tender assessment is provided as a **supporting document**. Please note this information is Commercial-in-Confidence.

Relevant Legislation

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

Critical Dates/Time Frames

Belmadar Pty Ltd has submitted a program to complete the works in a timeframe that meets the requirements of Council.

The project is scheduled to be completed in August 2020.

FINANCIAL IMPLICATIONS

Council has sufficient budget allocation within the 2019/20 financial year funding to proceed with the proposed works in accordance with the terms and conditions of the tender.

CONCLUSION

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



It is therefore recommended that Council accept the tender submitted by Belmadar Pty Ltd for the lump sum of \$1,827,850 (excluding GST).

RECOMMENDED

That Council accept the tender provided by Belmadar Pty Ltd as per the terms and conditions of Tender T010/2019 – Construction of Catherine Park Community Centre and Sports Amenities for the lump sum of \$1,827,850 (excluding GST).

ATTACHMENTS

1. T010-2019 Confidential Attachment Supporting Document - *Supporting Document*

ORDINARY COUNCIL

ORD08

SUBJECT: TENDER T013/2019 - CONSTRUCTION OF A PATHWAY AT HERBERTS HILL, ELDERSLIE

FROM: Director Community Assets

TRIM #: 19/199038

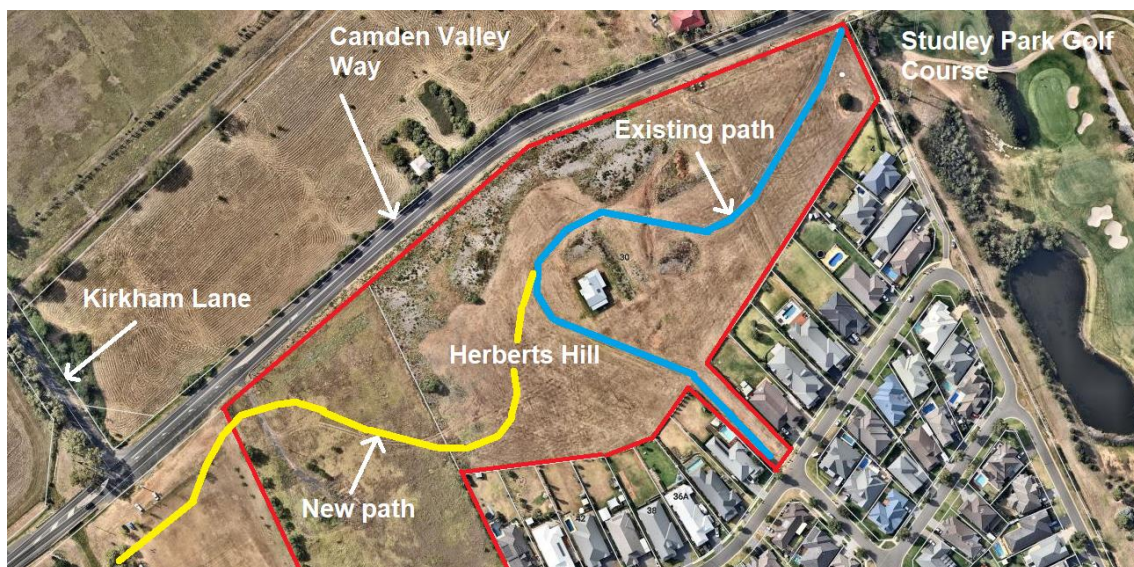
PURPOSE OF REPORT

The purpose of this report is to provide details of the tenders received for Contract T013/2019, being the Construction of a Shared Pathway at Herberts Hill, Elderslie, and to recommend that Council accept the tender offered by Statewide Civil Pty Ltd.

BACKGROUND

Council has allocated section 7.11 developer contributions for the construction of an extension to the existing shared pathway at Herberts Hill to the small bridge and shared pathway near the intersection of Kirkham Lane and Camden Valley Way, Elderslie. The shared path extension will provide a pedestrian/bicycle link between Narellan and Camden.

These works were identified in the Plan of Management for Herberts Hill adopted by Council in 2015. The purchase by Council of the adjacent lot to the south of Herberts Hill has enabled the construction of the shared path to proceed.



Site for Construction of the shared path

The works will include an extension to the existing post and wire boundary fence fronting Camden Valley Way, construction of the shared path, associated turf next to the shared path and regrading and stabilisation of the Camden Valley Way roadside embankment.

A construction contractor is now required to act as the Principal Contractor for the site and be responsible for the shared pathway construction and roadside embankment



stabilisation works. The Principal Contractor will manage all subcontractors and direct, coordinate and integrate their work for this project.

MAIN REPORT

Invitation to Tender

The invitation to submit a lump sum tender was advertised in the local newspapers and the NSW e-tendering website on 11 June 2019.

The tender closed on 03 July 2019 with 19 submissions received, two of which were non-conforming.

The list of companies who tendered for this project are listed below in alphabetical order:

<i>Company</i>	<i>Location</i>
Advanced Construction Pty Ltd	Unanderra NSW
Awada Civil Engineering Pty Ltd	Blacktown NSW
CMEC Pty Ltd	Port Kembla NSW
Danste Civil Pty Ltd	Horsley Park NSW
Devcon Civil Pty Ltd	Blacktown NSW
Endacom Pty Ltd	Lidcombe NSW
KK Consultants Pty Ltd	Padstow NSW
Lamond Contracting Pty Ltd	Picton NSW
Madic Constructions Pty Ltd	Bossley Park NSW
Multiworks Australia Pty Ltd	Brooklyn Victoria
Perfection Landscape Services	Baulkham Hills NSW
PND Civil Group Pty Ltd	Chatswood NSW
South Sydney Concrete Pty Ltd	Arncliffe NSW
Stateline Asphalt Pty Ltd	Rockdale NSW
Statewide Civil Pty Ltd	Baulkham Hills NSW
Talis Civil Pty Ltd	Pendle Hill NSW
Trimcon Civil Contracts Pty Ltd	Smithfield NSW
Undercover Landscaping Pty Ltd	Kenthurst NSW
Western Earthmoving Pty Ltd	Seven Hills NSW

Tender Evaluation

The intention of the tender process was to appoint a contractor with proven capacity and experience in similar scale projects as well as providing best 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 a weighting of 60% and non-price factors a weighting of 40%.

Non-price factors considered for this project included:

- Methodology;
- Completion of detailed pricing schedules;
- Conditions and qualifications;

-
- Experience in similar projects and capacity;
 - Proposed team;
 - Program; and
 - Work Health and Safety.³

Statewide Civil Pty Ltd provided the most competitive tender in terms of cost and meeting the requirements of Council's tender documentation. The company has a proven track record constructing works of a similar nature and scale.

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

The tender process was also reviewed by the Tender Compliance Panel.

A summary of the tender assessment is provided in the **supporting document**. Please note this information is commercial-in-confidence.

Relevant Legislation

The tender has been conducted in accordance with the *Local Government Act 1993*, the *Local Government (General) Regulation 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 a timeframe that meets the requirements of Council. The project is scheduled to be completed in November 2019.

FINANCIAL IMPLICATIONS

Council has sufficient budget allocation in the Capital Works Program to proceed with the proposed works in accordance with the terms and conditions of tender.

CONCLUSION

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

RECOMMENDED

That Council accept the tender provided by Statewide Civil Pty Ltd in the lump sum of \$207,055 (excluding GST) as per the terms and conditions of tender T013/2019 – Construction of a Shared Pathway at Herberts Hill, Elderslie.

ATTACHMENTS

1. T013-2019 Confidential Attachment Supporting Document - *Supporting Document*