



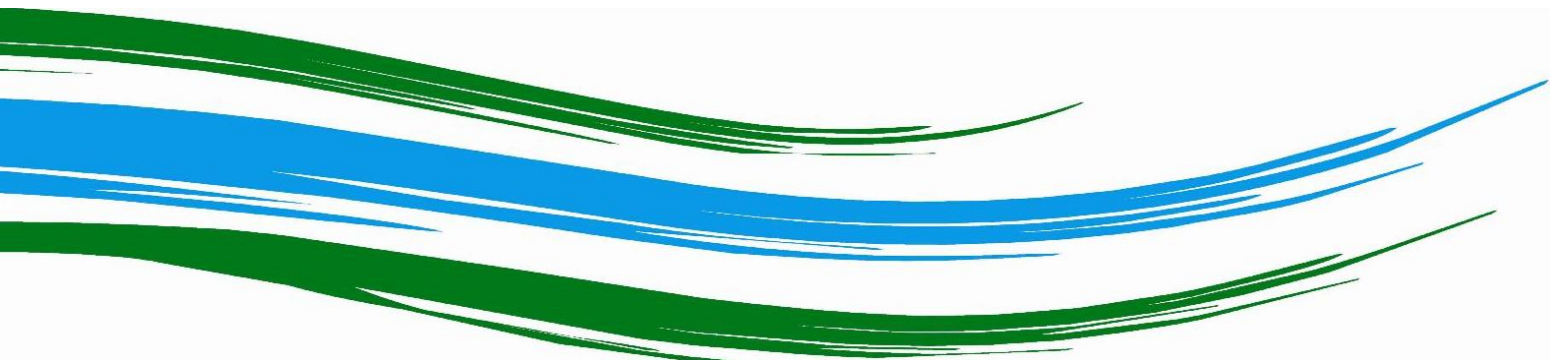
# Camden Council

## Business Paper

### Ordinary Council Meeting 13 October 2020

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Please note due to COVID-19 restrictions this meeting is being held as a teleconference. The public can view the meeting via Council's webcast. A link to this webcast can be found on Council's webpage – <http://webcast.camden.nsw.gov.au/video.php>



## 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
DPIE	Department of Planning, Industry & Environment
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
LSPS	Local Strategic Planning Statement
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
VPA	Voluntary Planning Agreement

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## ORDINARY COUNCIL

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## ORDINARY COUNCIL

**SUBJECT: PRAYER**

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### 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

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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**

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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.

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## ORDINARY COUNCIL

**SUBJECT: WEBCASTING OF COUNCIL MEETINGS**

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

No other webcasting or recording by a video camera, still camera or any other electronic device capable of webcasting or recording speech, moving images or still images is permitted without the prior approval of Council. Council has not authorised any other webcasting or recording of this meeting.

I remind those that are participating in this meeting that your image and what you say will be broadcast live to the public and will also be recorded so please be mindful of your actions and comments. You should avoid making statements that might defame or offend and note that Council will not be responsible for your actions and comments.

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## **ORDINARY COUNCIL**

**SUBJECT: LEAVES OF ABSENCE**

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

### **RECOMMENDED**

**That leaves of absence be granted.**

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## ORDINARY COUNCIL

**SUBJECT:       DECLARATION OF INTEREST**

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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.**



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## ORDINARY COUNCIL

### SUBJECT: PUBLIC ADDRESSES

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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 subject to necessary changes to accommodate remote access to the meeting. Speakers will be able to make their address by accessing Council's meeting remotely via the internet. Speakers must submit an application form, available on Council's website, 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. Speakers will be provided with instructions to allow them to access the meeting remotely online.

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.

Only the audio recording of the public address speakers will be heard on Council's video conference and webcast. Visual images of the speaker will not be captured.

### **RECOMMENDED**

**That the public addresses be noted.**

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## **ORDINARY COUNCIL**

**SUBJECT: CONFIRMATION OF MINUTES**

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Confirm and adopt Minutes of the Ordinary Council Meeting held 8 September 2020.

**RECOMMENDED**

**That the Minutes of the Ordinary Council Meeting held 8 September 2020, copies of which have been circulated, be confirmed and adopted.**



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## **ORDINARY COUNCIL**

**SUBJECT: MAYORAL MINUTE**

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Consideration of Mayoral Minute (if any).



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## ORDINARY COUNCIL

### ORD01

**SUBJECT: ALTERNATE PANEL MEMBERS FOR THE SYDNEY WESTERN CITY PLANNING PANEL**

**FROM:** Director Planning and Environment

**TRIM #:** 20/244725

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### PURPOSE OF REPORT

The purpose of this report is to advise Council on the outcome of a closed expression of interest (EOI) to appoint additional alternate representatives to the Sydney Western City Planning Panel (SWCPP).

It is recommended that Council accept the six EOIs and establish a pool of experts to participate on the SWCPP (as required).

### BACKGROUND

Given the Council-appointed representatives of the SWCPP are Councillors, from time to time there are/will be development applications and/or rezoning reviews where a conflict of duties arises.

To ensure Council representation is maintained on the SWCPP in such instances, a closed EOI was carried out with the chairs and expert members of the Camden Local Planning Panel (CLPP) seeking to appoint additional alternate representatives. Council received six EOIs.

#### *What is the SWCPP?*

Sydney Planning Panels were established in November 2016 to replace the Joint Regional Planning Panels which operated throughout NSW since July 2009.

Camden lies within the SWCPP area, together with Blue Mountains City, Campbelltown City, Fairfield City, Hawkesbury City, Liverpool City, Penrith City and Wollondilly Shire Councils.

#### *Responsibility*

The SWCPP has responsibility for:

- Determining '*regionally significant*' development applications (DAs) and certain other DAs and modification applications; these are typically developments with a capital investment value in excess of \$30 million;
- Acting as the relevant planning authority (RPA) when directed;
- Undertaking rezoning reviews; and
- Providing advice on other planning and development matters when requested.

#### *Membership and composition*

The SWCPP consists of five members, including:

- The Chair (currently Justin Doyle);

- Two state-appointed representatives (currently Louise Camenzuli and Nicole Gurrin); and
- Two Council-appointed representatives (currently Cr Lara Symkowiak and Cr Michael Morrison).

There are also two Council-appointed alternate representatives (currently Cr Theresa Fedeli and Cr Paul Farrow).

Councillor briefings were provided on this matter on 5 May and 21 July 2020.

## **MAIN REPORT**

### **Code of Conduct**

The Planning Panel's Code of Conduct ('the Code') sets out the minimum requirements for planning panel members in carrying out their functions. The Code includes conflict of duties provisions for members, which read as follows (in part):

*3.19 The following situations are considered to represent a conflict of duties for panel members (however this list is not exhaustive):*

- a) members who have current or previous involvement in a specific project, or site, that is subject of a DA for regional development, or a planning proposal that is subsequently reviewed by a planning panel, for example as a consultant,*
- b) councillor members where they have deliberated or voted on, or otherwise considered, a matter, and/or been present when such consideration is undertaken, in their role at council and that matter, or a related matter, subsequently comes before the panel. Matters which are considered to be related to a panel matter include, but are not limited to:*
  - a planning proposal for the site*
  - a voluntary planning agreement for the development or planning proposal*
  - a Masterplan for the development or planning proposal*
  - a Plan of Management for the development*
  - property matters related to the site, including leases, licences, purchase of land, disposal of land and management of lands*
  - legal matters related to the site, development or proposal consideration on whether to make a submission to the panel on a DA for regional development.*

and

*3.22 Councillors who have deliberated or voted on a matter in their role at council and that matter, or a related matter, subsequently comes before the panel, are to stand aside from their place on the panel, and allow council's nominated alternative member to take their place, to avoid any perceptions of bias or pre-judgement.*



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As the Council-appointed representatives of the SWCPP are Councillors, from time to time there will be development applications and/or rezoning reviews where a conflict of duties arises. To ensure Council representation is maintained on the SWCPP in such instances, a closed EOI was carried out with the chairs and expert members of the CLPP seeking to appoint additional alternate representatives.

Expressions of Interests were received from the following CLPP panel members:

- Michael Mantei;
- Mary-Lynne Taylor;
- Sue Francis;
- Rachel Harrison;
- Michael File; and
- Grant Christmas.

There are no limits on the number of alternate Council-appointed representatives on the SWCPP. All of the CLPP members who have expressed an interest in the role have extensive experience in both planning and/or planning law. It is considered prudent to accept all EOIs and establish a pool of experts who can be asked to participate on the SWCPP as required. The establishment of a pool will not result in any additional financial implications for Council as expert members will only be paid when asked to participate in SWCPP meetings.

#### Remuneration

On 23 February 2018, the Minister for Planning issued a remuneration determination for members of local planning panels. The remuneration determination is considered to be an appropriate guide as to the amount any alternate member utilised from the proposed pool should be paid when asked to participate on the SWCPP. The remuneration determination specified that an expert member should be paid a minimum of \$1,500 (excl. GST) per meeting and \$214 per hour (excl. GST) for business that is undertaken outside of meetings. The per meeting rate is inclusive of all the work a panel member does for a meeting, including preparation, site visit and any deliberation following the public meeting. The hourly rate applies to electronic determinations where no meetings occur.

It is noted that the existing Councillor members of the SWCPP are not paid.

#### FINANCIAL IMPLICATIONS

This remuneration of panel members is able to be paid from existing budgets.

#### CONCLUSION

From time to time, a conflict of duties may be encountered by the existing Council-appointed members of the SWCPP. To ensure Council representation is maintained on the SWCPP in such instances, it is recommended that Council accept the six EOIs and establish a pool of experts to participate on the SWCPP (as required).

#### RECOMMENDED

**That Council accept the six expressions of interest from the chairs and expert members of the Camden Local Planning Panel to act as additional Council-appointed alternate representatives on the Sydney Western City Planning Panel.**

## ATTACHMENTS

1. Expressions of Interest to be Alternate Council Member on SWCPP - *Supporting Document*



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## ORDINARY COUNCIL

**ORD02**

**SUBJECT: DISCLOSURES BY COUNCILLORS AND DESIGNATED PERSONS RETURNS 2019/2020**

**FROM:** Director Customer & Corporate Strategy

**TRIM #:** 20/202098

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### PURPOSE OF REPORT

The purpose of this report is to recommend that Council note the tabling of Disclosures by Councillors and Designated Persons Returns.

### BACKGROUND

Under section 4.21 of the Model Code of Conduct, a Councillor or designated person, holding that position at 30 June in any year, must complete and lodge a 'Disclosures by Councillors and Designated Persons Return' with the General Manager within three months after that date.

### MAIN REPORT

Under section 4.25 of the Model Code of Conduct, the 'Disclosures by Councillors and Designated Persons Returns' must be tabled at the first meeting of Council held after the last date for lodgement (being 30 September 2020).

### FINANCIAL IMPLICATIONS

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

### CONCLUSION

The completed Disclosures by Councillors and Designated Persons Returns are tabled.

### RECOMMENDED

**That Council note the tabling of the Disclosures by Councillors and Designated Persons Returns.**



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## ORDINARY COUNCIL

ORD03

**SUBJECT: REPRESENTATIVES ON COMMITTEES 2020/2021**  
**FROM:** Director Customer & Corporate Strategy  
**TRIM #:** 20/200715

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### PURPOSE OF REPORT

The purpose of this report is to:

- appoint Councillor representatives to the Companion Animal Advisory Committee and the Audit, Risk and Improvement Committee until the end of the Council term in September 2021;
- re-appoint community representatives to the Companion Animal Advisory Committee until the end of the Council term in September 2021;
- note the resignations of two community representative Committee members and thank them for their participation.

### BACKGROUND

Due to the COVID-19 pandemic, the Minister for Local Government published orders in the Gazette under section 318B of the *Local Government Act 1993* postponing the 2020 local government elections to 4 September 2021. The term of Councillors was accordingly extended to 3 September 2021.

All current Councillors continue to hold their civic offices including their membership to various Committees for the term of Council, the exceptions being Councillor membership to the Companion Animal Advisory Committee and Audit, Risk and Improvement Committee.

Similarly, non-Councillor members (eg community representatives) of Council Committees will continue to hold their membership for the term of Council, the exceptions being members of the Companion Animals Advisory Committee and Audit, Risk and Improvement Committee.

Councillors were briefed on this matter on 15 September 2020.

### MAIN REPORT

#### **Companion Animal Advisory Committee**

At the Ordinary Council meeting of 11 September 2018, Council appointed Councillor Fedeli and Councillor Symkowiak as primary representatives on the Companion Animal Advisory Committee for a two-year term (to September 2020).

To align membership to the end of the Council term, it is recommended that Council appoint two primary Councillor representatives until September 2021.

The term of the current community representatives of the Companion Animals Advisory Committee expires in December 2020; each has indicated they would like to continue in this role until the end of the term of Council in September 2021.



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It is therefore recommended that Council re-appoint Ms Elias, Ms Bell, Dr Ferguson, Dr Humphries, Dr Maher, Ms Ritchard and Ms Lawrence as community representatives to the Companion Animal Advisory Committee until the end of the term of Council in September 2021.

### **Audit, Risk and Improvement Committee**

Under the Audit, Risk and Improvement Committee's Charter, the terms of members of the Committee are limited to four years or as determined by Council. Two of the members are to be Councillors.

At the Ordinary Council meeting of 13 November 2018, Councillor Morrison was appointed to the Audit, Risk and Improvement Committee until September 2020. Accordingly, it is recommended that Council appoint a Councillor representative until the end of the Council term in September 2021.

The terms of the current independent members of the Committee expire in February 2021 and March 2021 respectively; these will be the subject of a separate report to Council.

### **Bicentennial Equestrian Park Management Committee and Camden Town Farm Management Committee**

Two resignations have been received from community representatives on Council committees. Mr John Vallance has resigned from the Bicentennial Equestrian Park Management Committee and Mr Patrick White has resigned from the Camden Town Farm Management Committee.

Under the rules of the Committees, the resignations cannot be finalised until they are formally noted by Council. It is therefore proposed that Council so resolve.

### **FINANCIAL IMPLICATIONS**

This report has no financial implications.

### **CONCLUSION**

It is recommended that Council appoint two Councillors as primary representatives to the Companion Animal Advisory Committee, and that the existing community representatives be re-appointed, until the end of the term of Council in September 2021.

It is also recommended that Council appoint a Councillor to the Audit, Risk and Improvement Committee until the end of the term of Council in September 2021 and note the resignations of Mr Vallance and Mr White from their respective Committees, thanking them for their contributions.

## **RECOMMENDED**

### **That Council:**

- i. appoint two Councillors as primary representatives to the Companion Animal Advisory Committee until the end of the Council term in September 2021;**
- ii. re-appoint Ms Elias, Ms Bell, Dr Ferguson, Dr Humphries, Dr Maher, Ms Ritchard and Ms Lawrence as community representatives of the Companion Animal Advisory Committee until the end of the Council term in September 2021;**
- iii. appoint a Councillor as a member of the Audit, Risk and Improvement Committee until the end of the Council term in September 2021;**
- iv. note the resignation of Mr John Vallance from the Bicentennial Equestrian Park Management Committee and Mr Patrick White from the Camden Town Farm Management Committee and write to them, thanking them for their contribution.**



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## ORDINARY COUNCIL

**ORD04**

**SUBJECT: GNB SUBMISSIONS - ORAN PARK PLACE NAMES**  
**FROM:** Director Customer & Corporate Strategy  
**TRIM #:** 20/317563

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### PURPOSE OF REPORT

The purpose of this report is to seek endorsement from Council for the proposed responses to the submissions received by the Geographical Names Board (GNB) following a call for public comment on the nine proposed park and reserve names for the Oran Park Precinct.

Five submissions were received during the 30 days public exhibition period on the nine proposed place names in the Oran Park Precinct.

### BACKGROUND

Council, at its meeting of 28 April 2020, endorsed nine proposed place names in the Oran Park Precinct as follows:

- Angus Park;
- Brooking Park;
- Dawson Park;
- Julia Reserve;
- Hollywood Park;
- Kolombo Reserve;
- Singer Park;
- Titan Park;
- Whiteman Park.

Council's resolution was subsequently referred to the NSW Geographical Names Board (GNB), which placed the naming proposals on public exhibition for a period of 30 days for public comment.

At the end of the exhibition period, five submissions had been received.

A Councillor briefing was provided on this matter on 29 September 2020.

### MAIN REPORT

Details on the five submissions made to the GNB are provided in **attachment 1** to this report.

Council officers have reviewed the submissions made, considered the basis for each objection lodged and made a recommendation accordingly. These recommendations are also provided in **attachment 1** to this report.

For each of the five submissions received, it is recommended that Council advise the GNB that it has considered the submissions made but does not support the changes suggested and accordingly maintains its support for the names originally proposed.

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## **FINANCIAL IMPLICATIONS**

There are no financial implications.

## **CONCLUSION**

It is recommended Council note that, following public exhibition of the nine proposed place names within the Oran Park Precinct, five submissions were received.

It is further recommended, following consideration of each submission, that Council maintain its support for the names originally proposed and refer this decision to the NSW Geographical Names Board (GNB) for final determination.

## **RECOMMENDED**

**That Council:**

- i. note the five submissions received by the NSW Geographical Names Board (GNB) in relation to the proposed Oran Park Precinct place names; and**
- ii. having considered the submissions received, maintain its support for the place names originally proposed and refers this decision to the NSW Geographical Names Board (GNB) for final determination.**

## **ATTACHMENTS**

- 1. Submissions Received for Proposed Place Naming in Oran Park Precinct - *Supporting Document***



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## ORDINARY COUNCIL

**ORD05**

**SUBJECT: INVESTMENT MONIES - AUGUST 2020**  
**FROM:** Director Customer & Corporate Strategy  
**TRIM #:** 20/308014

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### 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 31 August 2020 is provided.

### MAIN REPORT

The weighted average return on all investments was 1.58% p.a. for the month of August 2020. The industry benchmark for the month of August was 0.11% (Ausbond Bank Bill Index) and the current official cash rate as determined by the Reserve Bank of Australia (RBA) is 0.25%.

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 August 2020; and**
- iii. note the weighted average interest rate return of 1.58% p.a. for the month of August 2020.**

### ATTACHMENTS

1. Investment Report - August 2020

## ORDINARY COUNCIL

**ORD06**

**SUBJECT: EXTENSION TO COVID-19 FEE WAIVER PERIOD**  
**FROM:** Director Customer & Corporate Strategy  
**TRIM #:** 20/309094

### PURPOSE OF REPORT

The purpose of this report is to recommend an extension to the COVID-19 fee waiver period for selected fees to 31 January 2021.

### BACKGROUND

On 14 April 2020, Council waived a number of non-statutory fees for an initial period of six months, as part of Council’s immediate COVID-19 response. The six-month period ends 14 October 2020.

The fees waived are as follows:

- Fees associated with fire safety certificates and health inspections, including food shop inspections;
- Fees associated with cemetery services;
- Fines associated with our library services;
- Fees associated with outdoor dining; and
- Fees associated with companion animal release.

As part of the Stage 1 Community Support Package, Council also budgeted to waive Council sporting field ground hire fees.

Councillors were briefed on this matter on 29 September 2020.

### MAIN REPORT

Below is a table showing the number and value of fees waived to 11 September 2020.

Fees Waived	Actuals	
Type	Number	As at 11 Sep 2020
Annual Fire Safety Statement	345	\$30,644
Health Inspections	300	\$32,061
Outdoor Dining	1	\$250
Sporting Clubs – Ground Hire (winter)	29	\$72,259
Cemetery Fees	10	\$22,000
Companion animal release	1	\$792
Library Services (closed to 1 June)	0	\$0
<b>Total</b>	<b>686</b>	<b>\$158,006</b>



As indicated in the table above, Council has waived \$158,006 in fees to 11 September 2020. This report recommends an extension to the period for fees waived to 31 January 2021, which means the initiative remains in place over the Christmas period. The table below indicates that the estimated additional cost to waive the selected fees to 31 January 2021 is \$189,900.

Fees Waived	Estimate
Type	Additional to 31 January 2021
Annual Fire Safety Statement	\$44,400
Health Inspections	\$55,300
Outdoor Dining	\$2,000
Sporting Clubs – Ground Hire (summer)	\$58,000
Cemetery Fees	\$24,000
Companion animal release	\$2,000
Library Services	\$4,200
<b>Total</b>	<b>\$189,900</b>

This would result in the estimated total value of fees waived since the initiative commenced in April 2020 to be \$347,906.

### **FINANCIAL IMPLICATIONS**

The total cost of fees waived to 31 January 2021 is estimated to be \$347,906. Council's budget for waived fees is \$320,000. The final cost to Council is dependent on how many customers access the initiative. If the additional amount of \$27,906 is required, Council could address the shortfall at a future quarterly budget review.

### **CONCLUSION**

Council has provided an immediate response to COVID-19 by waiving selected non-statutory fees for a period of six months including sporting field fees. This has resulted in Council providing over \$150,000 in immediate relief. This report recommends that the fee relief period be extended to 31 January 2021, providing additional support to our community and customers.

### **RECOMMENDED**

**That Council extend the fee waiver period for the fees identified in this report to 31 January 2021.**



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## ORDINARY COUNCIL

### ORD07

**SUBJECT: ACCEPTANCE OF GRANT FUNDING - COMMUNITY BUILDING PARTNERSHIP PROGRAM**

**FROM:** Director Sport, Community & Activation

**TRIM #:** 20/217830

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### PURPOSE OF REPORT

The purpose of this report is to advise Council of the successful grant funding application for \$5,100 (excl. GST), through the NSW Government's Community Building Partnership Program 2019, administered by the Department of Communities and Justice, and to seek Council's endorsement to accept the funding for the Camden Men's Shed Awning Project.

### BACKGROUND

The NSW Government, through the Community Building Partnership Program 2019, is investing in infrastructure projects that deliver positive social, environmental and recreational outcomes, while promoting community participation, inclusion and cohesion.

The program provides grant funding to support projects that address local social, environmental and recreational priorities in each of the 93 state electorates across NSW. In the 2019, there is a maximum of \$300,000 to allocate in each electorate. Community organisations and local councils are eligible to apply for grants of between \$2,500 and \$300,000.

The intended outcomes of the program are:

- Construction of new community infrastructure;
- Refurbishment, repair and maintenance of existing community infrastructure; and
- Purchase of capital equipment with a minimum individual asset value of more than \$2,500.

### MAIN REPORT

Camden Men's Shed is supported by Council through the Camden Bicentennial Equestrian Park Management Committee.

A grant application was submitted for \$5,100 (excl. GST) under the NSW Government's Community Building Partnership Program 2019 to install an extension to the verandah roofing at the Camden Bicentennial Equestrian Park main pavilion, which incorporates the Camden Men's Shed clubhouse.



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The goal of the project is to install a new 10 metre section of roofing, which will fully cover the concrete verandah at the Camden Men's Shed clubroom. This will see the entire verandah protected from the weather and provide a safer and more comfortable venue for the Men's Shed and for patrons who use the Camden Bicentennial Equestrian Park main pavilion.

The Department of Communities and Justice and the Member for Camden, Mr Peter Sidgreaves MP, have advised the Camden Men's Shed that it was successful in its application for \$5,100 (excl. GST) to implement the *Camden Men's Shed Awning Project*.

The construction of the extension will be undertaken by Council. It is proposed that the works will be undertaken prior to June 2021.

### **FINANCIAL IMPLICATIONS**

Camden Men's Shed has been successful in its application for funding (\$5,100 excl. GST) from the NSW Government's Community Building Partnership Program 2019.

The program requires matched funding from applicant organisations. The Camden Bicentennial Equestrian Park Management Committee agreed to match the funding prior to the grant application being submitted.

Council will provide in-kind contributions and undertake the delivery of the project.

### **CONCLUSION**

The Camden Men's Shed has been successful in its funding application for \$5,100 (excl. GST) through the NSW Government's Community Building Partnership Program 2019, administered by the Department of Communities and Justice, for the *Camden Men's Shed Awning Project*.

This project will result in the installation of a new 10 metre section of roofing, which will fully cover the concrete verandah at the Camden Men's Shed clubroom.

### **RECOMMENDED**

**That Council:**

- i. accept the funding for \$5,100 (excl. GST) through the NSW Government's Community Building Partnership Program 2019 administered by the Department of Communities and Justice; and**
- ii. write to the Hon. Gareth Ward MP, Minister for Communities and Justice and Mr Peter Sidgreaves MP, Member for Camden, thanking them for the grant.**

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## ORDINARY COUNCIL

ORD08

**SUBJECT: ACCEPTANCE OF GRANT FUNDING - NSW SMALL BUSINESS MONTH 2020**

**FROM:** Director Sport, Community & Activation

**TRIM #:** 20/295392

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### PURPOSE OF REPORT

The purpose of this report is to advise Council of the successful grant funding application for \$2,000 (excl. GST) through the NSW Government's Small Business Month 2020 funding program, administered by NSW Treasury, and to seek Council's endorsement to accept the funding for Council's Small Business Month 2020 program.

### BACKGROUND

NSW Small Business Month brings together all levels of government and industry leaders to support the small business community, delivering events and activities focused on upskilling and connecting NSW small business owners. NSW Small Business Month takes place in October each year.

The overall theme of NSW Small Business Month 2020 is *Reboot*, developed in response to feedback from the 2019 program as well as current impacts that have affected many businesses. The theme is supported by six sub-themes, as follows:

1. Building your brand on social;
2. Working with digi-tech;
3. Financial foundations;
4. Research, plan, do;
5. Futureproof your business; and
6. Your team and you.

The NSW Government was offering grants of up to \$2,000 (excl. GST) to NSW local councils and chambers of commerce to deliver activities during NSW Small Business Month that directly benefit and support the small business community.

### MAIN REPORT

Council submitted an application to the NSW Small Business Month 2020 funding program for \$2,000 (excl. GST) to assist in the delivery of its NSW Small Business Month program.

October is both NSW Small Business Month and Mental Health Month. In light of this, and the known mental health challenges that COVID-19 has placed on business owners, Council will deliver a NSW Small Business Month program with a focus on mental health and wellbeing in the workplace. Council has partnered with the Black Dog Institute and called upon the expertise of its arts and culture team to curate a program that will provide a unique and creative platform to address mental health and wellbeing for business owners who are highly impacted by COVID-19 but less likely to consider their personal wellbeing while prioritising the needs of their businesses and families.



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The aims of the program are to:

- Provide a safe space for business owners to address their mental health and wellbeing and gain practical guidance on how to promote mentally healthy workplaces;
- Provide a creative and unique format to consider business continuity and future planning in response to COVID-19; and
- Provide a creative and non-threatening mechanism for business owners to explore their emotions, alleviate stress, share lived experiences and build resilience among peers who can relate to each other's circumstances.

NSW Treasury has advised Council that it was successful in its application for \$2,000 (excl. GST) to implement its NSW Small Business Month 2020 program. The program will be delivered in October 2020.

### **FINANCIAL IMPLICATIONS**

Council has been successful in its application for \$2,000 (excl. GST) funding from the NSW Government's Small Business Month 2020 funding program.

The program requires additional funding from Council in order to deliver its full program of activities for NSW Small Business Month. The additional funding is covered through Council's existing operational funds.

### **CONCLUSION**

Council has been successful in its funding application for \$2,000 (excl. GST) through the NSW Government's Small Business Month 2020 funding program, administered by NSW Treasury.

Council's NSW Small Business Month program will provide small businesses in Camden with practical advice and guidance for mental health awareness and wellbeing in the workplace, as well as a space to creatively engage with their emotions, share their experiences and help build resilience.

### **RECOMMENDED**

**That Council:**

- i. accept the funding for \$2,000 (excl. GST) through the NSW Government's Small Business Month 2020 funding program; and**
- ii. write to The Hon. Dominic Perrottet MP, NSW Treasurer, and Mr Peter Sidgreaves MP, Member for Camden, thanking them for the grant.**

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## ORDINARY COUNCIL

ORD09

**SUBJECT: DRAFT SPORTSGROUND STRATEGY 2020-2024**  
**FROM:** Director Sport, Community & Activation  
**TRIM #:** 20/292103

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### PURPOSE OF REPORT

The purpose of this report to seek Council's adoption of the draft Sportsground Strategy 2020-2024 following the conclusion of the public exhibition period.

The draft strategy (as amended) is provided as an **attachment** to this report.

### BACKGROUND

In February 2014, Council adopted its Sportsground Strategy to guide future decision making related to the provision of Council owned sportsgrounds and facilities. This document provided an overview of the 21 sportsgrounds located across the Camden local government area and identified a series of site-specific future directions to guide Council's investment in these facilities over coming years.

This document provided an important reference for Council in building stronger relationships with local sporting clubs and associations while also identifying key projects to improve the overall quality of Council's sportsgrounds.

Since this time, Camden has experienced significant growth, with the population growing from 56,720 in 2011 to an estimated population of 114,971 in 2020, an increase of 102%, and the number of sportsgrounds increasing from 21 to 25, with more planned in the future. Over the last five years, the landscape of sport has changed significantly with the introduction of new sports and changes to the way that traditional sports are played.

Recognising these changes, it was timely to review the Sportsground Strategy to ensure that it is contemporary and can respond to emerging themes and issues within sport and recreation and to ensure adequate provision of high-quality sporting facilities for our community both now and into the future.

Councillors were briefed on the draft Sportsground Strategy on 16 June 2020.

The draft strategy was placed on public exhibition for a period of 6 weeks from 30 June to 11 August 2020.

### MAIN REPORT

#### 1. Strategic Context

The draft Sportsground Strategy is a part of a suite of strategic documents currently being developed to guide the delivery of social infrastructure within the Camden LGA.



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The draft strategy corresponds to the draft Spaces and Places Strategy, currently on exhibition, and the future *Playspaces Strategy*, which identify gaps in the provision of open space, playspaces and community facilities to cater for future demand and need.

These documents address to the projected population growth, establish best practice benchmarks, provide design, management and maintenance guidelines, and recommend a prioritised action plan to meet the needs of the current and future population of the Camden LGA.

The development of the draft strategy is based on the analysis of:

- The current demographic information and the current trends impacting the sport sector;
- Council data on sportsgrounds usage; and
- Consultations with the key stakeholders.

Key outcomes attached to the draft strategy are:

- To identify key projects to improve the overall quality of Council's sportsgrounds;
- To formulate a contemporary and responsive action plan to emerging themes and issues within the sport and recreation sphere; and
- To ensure adequate provision of high-quality sporting facilities for our community both now and into the future.

## 2. Scope of the draft Strategy

The draft Sportsground Strategy focuses on Council-owned sportsgrounds located throughout the Camden LGA. It does not include Council-owned recreational facilities that are not considered to be sportsgrounds, including aquatic centres or equestrian facilities. It also does not cover privately-owned sportsgrounds and recreational facilities.

## 3. Key objectives of the draft Strategy

The draft Sportsground Strategy has the following objectives:

- a. To identify and meet existing and future sportsgrounds needs for the local community;
- b. To guide decision making and investment relating to the provision of Council-owned community sporting infrastructure including sportsgrounds and facilities; and
- c. To identify key actions and recommendations to improve the management of Council-owned sportsgrounds and to ensure all sportsgrounds meet agreed minimum standards.

## 4. Exhibition of the draft Strategy

The draft Sportsground Strategy was exhibited for an extended period of six weeks from 30 June to 11 August 2020.

Hard copies of the draft Sportsground Strategy were displayed at Council's Administration Building and the Camden, Narellan and Oran Park libraries.

Council officers also hosted an online forum for the sporting groups and stakeholders during the exhibition.

The draft strategy was also promoted through Council's social media platforms and on the website to seek feedback from the general community.

No submissions were received in response to the exhibition of the draft strategy.

During the public exhibition process an internal review of the document has resulted in some minor administrative changes, including:

- Changes to the layout of the document to improve readability;
- Changes in the images used for the facilities to reflect the corrected and up-to-date layout and amenities; and
- Inclusion of the new facilities handed over to Council since the draft strategy was prepared, i.e. Emerald Hills and Catherine Park.

These changes do not alter the intent of the document and therefore do not require re-exhibition.

#### 5. Next Steps

If Council endorses the draft Sportsground Strategy, the following will occur:

- An implementation plan will be developed that will inform Council's delivery of the strategy and inform future budget submissions to Council; and
- Sporting clubs will be advised of the adoption of the strategy.

### **FINANCIAL IMPLICATIONS**

There are no direct financial implications for Council as a result of this report. Costs associated with the recommended works and programs will be considered through the annual budget process.

### **CONCLUSION**

The draft Sportsground Strategy creates a significant opportunity for Council to provide a strategic framework to ensure the provision of high-quality sports grounds and amenities within the Camden LGA that meet the changing needs of current and future communities.

The draft strategy was placed on public exhibition for a period of six weeks and no submissions were received. It is therefore recommended that Council adopt the draft strategy with minor changes as outlined in this report.

### **RECOMMENDED**

**That Council adopt the Sportsground Strategy 2020-2024 included as Attachment 1 to this report.**

### ATTACHMENTS

1. Draft Sportsground Strategy 2020-2024



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## ORDINARY COUNCIL

## ORD10

**SUBJECT: DRAFT CUMBERLAND PLAIN CONSERVATION PLAN SUBMISSION**  
**FROM:** Director Community Assets  
**TRIM #:** 20/305209

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### PURPOSE OF REPORT

The purpose of this report is to advise Council that the Draft Cumberland Plain Conservation Plan has been released by the NSW Government for public exhibition and to seek Council's endorsement of a draft submission.

The draft submission is provided as an **attachment** to this report.

### BACKGROUND

The Cumberland Plain Woodland is a critically endangered ecological community under NSW and Commonwealth legislation. This vegetation community is home to a diverse range of species including over 300 different native plants and more than 20 threatened birds and animals.

In 1877, Cumberland Plain Woodland occupied approximately 30% of the Sydney Basin. It is considered that less than 6% remains in small fragments across Western Sydney. These remaining fragments occur in areas that are subject to intense pressure from urban development, such as the Camden LGA.

In response, the NSW Government has prepared the Draft Cumberland Plain Conservation Plan to strategically identify important biodiversity areas within the Cumberland subregion to offset the biodiversity impacts of future urban development and infrastructure, including the Western Sydney Transport Corridors to 2056.

A Councillor briefing was held on 6 October 2020 to inform Councillors of the key elements of the Plan and the comments from Council officers.

### MAIN REPORT

#### **What is the Draft Cumberland Plain Conservation Plan?**

The Draft Cumberland Plain Conservation Plan (Plan) has been prepared by the NSW Government to support the creation of infrastructure, housing and jobs in Western Sydney in a planned and strategic way that protects and maintains important biodiversity.

The Plan area covers about 200,000 hectares across parts of the Western Sydney in the Blacktown, Camden, Campbelltown, Fairfield, Hawkesbury, Liverpool, Penrith and Wollondilly LGAs.

The Plan is one of the largest strategic conservation plans to be prepared in Australia and is the first strategic biodiversity certification to be undertaken under the NSW *Biodiversity Conservation Act 2016*. A similar process was undertaken for the South West Growth Area.



Biodiversity certification is a streamlined biodiversity assessment process for areas of land that are proposed for development. The process identifies areas that can be developed after they are certified and measures to offset the impacts are developed.

The Plan comprises six documents that together will play a key role in ensuring the success of strategic conservation planning for Western Sydney:

1. Cumberland Plain Conservation Plan;
2. Sub-Plan A: Conservation Program and Implementation;
3. Sub-Plan B: Koalas;
4. State Environmental Planning Policy for Strategic Conservation Planning (SEPP);
5. The Draft Cumberland Plain Assessment Report; and
6. The Summary Assessment Report.

Council officers have reviewed the Draft Cumberland Plain Conservation Plan and identified a number of key issues and recommendations for the Camden LGA.

### **Matters for Consideration**

#### **1. Application of the Plan**

The Plan applies to the Camden LGA but does not propose any environmental conservation zones within the LGA. The Plan does however impose some '*strategic conservation areas*' over certain locations in the LGA. It is noted that the South West Growth Area (SGWA) has been excluded from the Plan as this area is already biodiversity certified and subject to the Growth Centres SEPP. Land owned or under claim by Local Aboriginal Land Councils is also excluded from the Plan.

The *strategic conservation area* represents areas of important biodiversity value to the Cumberland subregion. These areas are considered to include large remnants of native vegetation, areas with important connectivity across the landscape, and some areas with ecological restoration potential.

The Strategic Conservation Areas within the Camden LGA are located on land within the Bringelly and Cobbitty (zoned RU1 Primary Production) and South Camden (zoned RU2 Rural Landscape) areas and comprises an area of approximately 1,250ha. There are some additional areas in the Camden LGA affected by major transport infrastructure and related planning requirements, although these are not clear at this time.

The proposed strategic conservation areas within the Camden LGA align with the Metropolitan Rural Area (MRA) shown in the Camden Local Strategic Planning Statement (LSPS) and Camden's Rural Lands Strategy (RLS). The objectives of the Plan also generally align with Local Priority *S3 Protecting Camden's rural land* and *S4 Protecting and restoring environmentally sensitive land and enhancing biodiversity* of the LSPS and the RLS with respect to preserving Camden's rural scenic landscapes and characteristics.



It should be noted that the Camden LSPS and RLS have further objectives for the MRA that go beyond environmental conservation. Enhancing Camden's rural economy by promoting viable and sustainable agriculture and eco-tourism in the MRA is also a significant local objective identified in the Camden LSPS. As the proposed State Environmental Planning Policy (SEPP) seeks to minimise the impact of land use intensification in strategic conservation areas, it may have an impact on how these broader local objectives are realised in the affected locations (which are currently undeveloped). The overall impact of this is quite limited however as the majority of the MRA in Camden has not been captured by the proposed SEPP.

*Recommendation*

- Council encourages DPIE to have an ongoing commitment to work with Council and the community to ensure that biodiversity impacts are avoided and minimised.

**1.1 Ground-truthing of mapping used in the Plan development.**

It is noted that the mapping used in the Plan is the same mapping that Council relied on in the recently publicly exhibited Stage 1 LEP review in which Council received a large number of submissions concerned about the accuracy of the mapping. New surveys were undertaken for the Plan development in nominated areas only which covered a total area of 2,190 hectares, equating to just 1% of the Plan area. Council acknowledges that this Plan is strategic in nature and further assessment of the biodiversity values of these lands are required at the time of development.

However, it is highlighted that, without ground-truthing the areas that will be impacted or conserved, it is very difficult to know what the true impact of development will be (and therefore what the required offsets will be) or if there are enough land/credits available to offset impacts.

*Recommendation*

- Council encourages the Department of Planning, Industry and Environment to investigate methods to verify high biodiversity value land within the Plan area.

**2. New Section 9.1 Ministerial Direction and planning controls proposed for the Strategic Conservation Area**

The primary method of protecting threatened flora and fauna is establishing conservation lands. This includes three targeted reserves that are outside the Camden LGA. A new Section 9.1 Ministerial Direction will apply to planning proposals that would result in an intensification of land use in the strategic conservation area. A proposed State Environmental Planning Policy (SEPP) is the key statutory mechanism to protect threatened plants and animals under the Plan.

The proposed SEPP imposes a number of matters for consideration that a consent authority must consider before granting development consent in the strategic conservation area. These are shown in the proposed SEPP as Planning Controls for affected land. The objectives of the controls are to minimise impacts from development, improve the management of biodiversity in strategic conservation areas and protect threatened ecological communities.

The Plan also identifies that DPIE has prepared model clauses for Development Control Plans (DCPs) to address threats and protect biodiversity and other key environmental features in nominated areas and will work with local councils to implement these development controls. Council will be required to consider biodiversity values when determining Development Applications in the strategic conservation areas.

The proposed Section 9.1 Ministerial Direction will restrict the rezoning of land in the strategic conservation areas. However, as noted above, these locations are already within the MRA and Council's current strategic approach is to protect the remainder of Camden's rural zoned land outside the SWGA.

The proposed SEPP includes an acquisition clause to secure conservation lands. It appears future acquisition and funding will be the State Government's responsibility. However, it is noted there is a broad reference to establishing public reserves, such as national parks and council reserves, and there is also a reference to council-managed reserves as potentially forming part of securing conservation lands within the Plan. Clarification as to whether the proposed SEPP is implying there may be an acquisition role for Council (or not) is needed.

#### *Recommendation*

- Clarification is needed as to whether the proposed SEPP is implying there may be an acquisition role for Council (or not).

### **3. Major Transport Infrastructure**

It is noted corridors for the major transport infrastructure within the plan are not yet confirmed. The Plan document states that:

*“The major transport infrastructure included in this Plan has not yet finalised implementing its avoidance of biodiversity values, as the construction alignment for the corridors are not yet certain. It is therefore expected that further areas will be avoided as designs for the infrastructure corridors are determined over the life of the Plan. Where areas have been avoided for biodiversity purposes, the department would look to apply planning controls, such as environmental conservation zoning.”*

To do this, the Plan identifies that Transport for NSW will consider how to avoid these areas during the strategic planning phase of each major transport project to understand potential impacts on biodiversity. Additionally, they need to avoid and minimise impacts to threatened ecological communities, species and their habitat in the sections of the four major infrastructure corridors outside the nominated areas but within the Plan Area in accordance with the major infrastructure corridors class of action description and the Biodiversity Assessment Method (*Biodiversity Conservation Act 2016*).

Within the Camden LGA, threatened communities and species include:

- Threatened Ecological Communities – Cumberland Plain Woodland and River-flat Eucalypt Forest;
- Flora Species could potentially include Juniper-leaved Grevillea (*Grevillea juniperina* subs. *Juniperina*), White-flowered Wax Plant (*Cynanchum elegans*), Camden White Gum (*Eucalyptus benthamii*), Brown Pomaderris (*Pomaderris brunnea*), Spiked Rice Flower (*Pimelea spicata*);



- Endangered Population - *Marsdenia viridiflora* subsp. *Viridiflora*; and
- Fauna Species could potentially include Cumberland Land Snail (*Meridolum carneovirens*) and a number of threatened Micro-bats.

There is an expectation that changes will be required as designs are determined and that high-quality biodiversity land within the Camden LGA will be avoided in line with legislation. There is a statement in the Plan that Transport for NSW will seek to avoid and minimise impacts to areas of high biodiversity value, including threatened ecological communities, species and their habitats within corridors described in the Plan.

#### *Recommendation*

- Ensure impacts to threatened ecological communities, species and their habitat in the sections of the four major infrastructure corridors, outside the nominated areas but within the Plan Area, are avoided and minimised in accordance with the major infrastructure corridors class of action description and the Biodiversity Assessment Method (*Biodiversity Conservation Act 2016*).

#### **4. Implementation of the Plan**

As part of the Plan, the NSW Government has committed \$84 million in the first five years to plant 100,000 trees to restore koala habitat in the Georges River Koala Reserve (Koala Reserve), install 120 kilometres of koala-exclusion fencing in priority locations and establish biodiversity stewardship agreements. Within the first five years, the NSW Government will also prioritise the establishment of three new public reserves (outside of the Camden LGA) to help deliver the Plan's commitment of more than 5,475 hectares for new conservation lands.

Whilst Council is supportive of the restoration of Koala habitat in the Koala Reserve, it is noted that there will be very little Cumberland Plan Woodland conserved as this area is dominated by sandstone vegetation communities or shale-sandstone transition forest. Therefore, consideration for additional funding within the Camden Local Government area should be considered.

Other conservation measures include biodiversity offsetting, biodiversity stewardship sites, conservation programs, fire management strategies, research, partnering with Aboriginal communities, community education and engagement. Some of these are proposed with no details at present and no certainty on delivery. Offsets and credits required for the planned development should primarily come from within the Plan Area, with the purchase of offsets or credits from outside the Plan Area only used as an option of absolute last resort.

#### *Recommendation*

- Consider additional funding to protect high biodiversity value land within the Camden Local Government Area.

**Small landowners are effectively shut out of the Plan as sites of less than 20 hectares are not considered as offset sites.**

Council is aware that sites of less than 20 hectares will not be considered as offset sites, irrespective of vegetation quality – effectively shutting small landowners out of the Plan. In some instances, these sites have also been identified as “Non-certified – avoided for biodiversity” in the Plan mapping, which means the land cannot be further developed or used for offsets. Without the ability to have small landholdings included in the Plan, there will be no additional means to encourage conservation on these sites and continued degradation will continue through neglect, illegal clearing and other activities.

There are also concerns around how the biodiversity stewardship assessment process will work when the NSW Government is encouraging landowners to enter into agreements and then is also buying the credits. This creates a potential issue around credit pricing and whether the price of credits will be altered by this process and affect the price of credits held by other landowners e.g. Council through the Gundungurra Reserve Biobanking Agreement.

#### *Recommendations*

- Include measures to ensure that offsets and credits required for the planned development should primarily come from within the Plan Area, with the purchase of offsets or credits from outside the Plan Area only used as an option of absolute last resort; and
- Provide clarity and transparency in the biodiversity stewardship assessment process and pricing of credits.

**There are inadequate safeguards in the Plan to ensure that biodiversity offsets are obtained in a logical, staged way.**

The delivery of offset is not consistent with the development within the planned area. Currently, development can occur with offsets for development purchased at a later date. Given the Plan is stated to run until 2056, it potentially could be a long time to wait for the biodiversity gains to be realised.

#### *Recommendation*

Include staging requirements to ensure offsets are delivered as impacts occur.

**It is not clear if there will be local government representation on the Executive Implementation Committee.**

Council supports the establishment of an Executive Implementation Committee made up of executive-level representatives from key government agencies to oversee the implementation of the Plan. Local government representation on the Executive Implementation Committee is required to ensure adequate stakeholder representation, given the importance of local government in the implementation of the Plan.

Council also supports comprehensive annual reports on the implementation of the Plan that are publicly available.

#### *Recommendations*

- Ensure local government representation on the Executive Implementation Committee; and
- Ensure comprehensive annual reports are made publicly available.



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## 5. Potential Restoration Areas

**The potential restoration areas have not been made available on the map and so it is difficult to determine the boundaries of this land within the Camden LGA.**

The Plan's conservation program will also prioritise and fund on-ground actions to actively restore the vegetation communities in the Plan Area. Activities will include restoration of threatened ecological communities for up to 25% of the Plan's target to secure 5,475 hectares of impacted native vegetation.

This includes some areas of the Strategic Conservation Area in Cobbitty. Restoration to meet this target is defined as being revegetation undertaken in vegetation zones or management zones in a biodiversity stewardship agreement that have a vegetation integrity (VI) score of less than 15. The Plan defines this as reconstruction.

Reconstruction efforts will focus on target threatened ecological communities where there is a shortfall in established conservation lands. This occurs by expanding the habitat area for at-risk species and enhancing connectivity with neighbouring reserves and neighbouring areas of high biodiversity value.

Officers support the focus on not only conserving high-quality native vegetation but also on undertaking restoration to extend native vegetation and improve connectivity, with up to 25% of the conserved land within the Plan to come via restoration.

It is recognised that, while vegetation may be degraded and perceived to be of low or limited value, there is still significant potential to regenerate the land through a spectrum ranging from weed removal, fencing and natural regeneration, and right through to active restoration and replanting.

The potential restoration areas have not been made available on the map viewer and so it is difficult from the low-resolution map in the Plan to determine the boundaries of this land within the Camden LGA. This information is required as it is not only useful for landowners in the identified areas but also to Council in the review of its Biodiversity Strategy and other related documents.

This proposed conservation method also has relevance to Council for the recent LEP review mapping, and updates to the ESL map through the Biodiversity Strategy review process.

### *Recommendation*

- Provide a layer for potential restoration areas in a high-resolution map.

## 6. Community Education and Engagement

The Conservation Program will fund two part-time Aboriginal education officers and three full-time biodiversity education officers in priority local councils to directly engage with schools, community groups and the broader community to implement environmental programs and organise community events.

The education and engagement program is critical to building awareness among the community of the value of Cumberland Plain Woodland and other ecological communities. Officers support the implementation of the education and engagement program and supports an approach that will engage schools, local landowners and the general community. There is a perception that this bushland is untidy, highlighting a need to work with landowners to allow them to realise the value of native vegetation on their property as an income stream rather than an obstacle to development.

Due to the limited number of education officers and limited conservation areas within the Camden LGA, it is not considered that one of the officers will be based with Council. In this regard, the development of generic Cumberland subregion templates, materials and resources would be of great benefit to Council to allow expansion of the existing biodiversity engagement program and ensure alignment and delivery of key messages across the subregion.

*Recommendation*

- Ensure that the community education and engagement program develops generic Cumberland subregion templates, materials and resources to ensure alignment and delivery of key messages across the subregion.

**FINANCIAL IMPLICATIONS**

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

**CONCLUSION**

The Draft Cumberland Plain Conservation Plan is currently on public exhibition. The Plan seeks to strategically identify important biodiversity areas within the Cumberland subregion to offset the biodiversity impacts of future urban development and infrastructure including the Western Sydney Transport Corridors to 2056.

The draft submission identifies recommendations to improve the protection of important biodiversity from impacts of urban development and infrastructure.

**RECOMMENDED**

**That Council:**

- i. endorse the attached submission on the Draft Cumberland Plain Conservation Plan to be forwarded to the NSW Department of Planning, Industry and Environment; and**
- ii. forward a copy of Council's submission to Mr Peter Sidgreaves MP, Member for Camden.**

**ATTACHMENTS**

1. Cumberland Plain Conservation Plan Submission



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## ORDINARY COUNCIL

### ORD11

**SUBJECT: TENDER T004/2020 - SALE OF BIODIVERSITY CREDITS FOR GUNDUNGURRA RESERVE**

**FROM:** Director Community Assets

**TRIM #:** 20/304451

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#### PURPOSE OF REPORT

The purpose of the report is to advise Council of the tenders received for T004/2020 – Sale of Biodiversity Credits for Gundungurra Reserve and recommend that Council accept the tenders for *Meridolum corneovirens* and *Pimelea spiciata* (Spiked Rice Flower). It is also recommended to decline to accept the tenders for the ecosystem credits and to undertake further action for the reasons set out in this report.

#### BACKGROUND

Council signed a Biobanking Agreement for 37.5 hectares of land located in Gundungurra Reserve, Elderslie in May 2019. The Biobanking Agreement generates biodiversity credits, which can be sold to parties that require credits to offset their development or project. The funds generated from the sale of the land are classified either Part A payment or Part B payment.

On the transfer of credits, payment is made into the Biodiversity Stewardship Payments Fund (known as Part A payment). Annual payments are then made to Council from the fund to undertake management actions, including weed management, fire management, pest management and bushland restoration activities within the biobanking area. These payments must be used in accordance with the agreed management plan for the site that forms part of the Biobanking Agreement.

Any additional proceeds from the sale of the credits (known as Part B payment) occur when the credit value is higher than what has been identified to undertake perpetual maintenance of the property. These funds will be paid directly to Council.

It is noted that the biodiversity credits were established under the *Threatened Species Conservation Act 1995* however this Act was replaced with the *Biodiversity Conservation Act 2016*. To determine the number of credits available under this Act, a Statement of Equivalence was obtained enabling tenderers to provide offers for credits under either the *Threatened Species Conservation Act 1995* or the *Biodiversity Conservation Act 2016*.

Councillors were briefed on this matter on 15 August 2017, 13 August 2019 and 6 October 2020.



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## MAIN REPORT

### Legislation

This tender process was conducted in accordance with the Local Government Act 1993, the *Local Government (General) Regulation 2005* and Council's Procurement Policy and Guidelines.

### Advertising of Tender

The Reverse Tender for the Sale of the Biodiversity Credits opened on 28 July 2020 and was publicly advertised on Council's website. The tender was open for a period of 29 days until the closing date of 26 August 2020 and was available through the e-tendering website: [www.tenders.nsw.gov.au](http://www.tenders.nsw.gov.au).

### Tenders Received

Council received three responses from the following organisations:

<b>Tender</b>	<b>Suburb</b>
Sydney Metro	Sydney NSW
Gazcorp Pty Ltd	Sydney NSW
Department of Infrastructure, Transport, Regional Development and Cities (DITRDC)	Canberra NSW

### Tender Evaluation Process

Tenders were assessed by the Tender Evaluation Panel in accordance with Council's Procurement Procedures and Guidelines (2019). The evaluation criteria were prepared and weighted on 18 August 2020. Following the close of the tender period, each tender was evaluated by the Tender Evaluation Panel using a Tender Evaluation and Pricing Matrix on the following criteria:

- Price per credit – this was compared against the spot price (recent sales of the same type of credits);
- Local supplier preference;
- Environmental credentials of the organisation; and
- Purpose for the purchase of the credits.

A summary of the tender assessment is provided as a **supporting document** and is further discussed under Financial Implications. Please note that this information is commercial-in-confidence.

### Tender Compliance Panel

Tender submissions and evaluations were reviewed by the Tender Compliance Panel and all recommendations have been addressed.




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## Financial implications

Financial information is contained in the **supporting documents**.

Part A payments are held in trust by the Biodiversity Stewardship Trust and annual payments are provided to Council to undertake management actions within the biobanking agreement. Additional proceeds above those received as Part A payments from the sale of credits are known as Part B payments and are paid directly to Council.

## CONCLUSION

### Recommendation of the Tender Evaluation Panel

It is recommended that Council:

- Accept the tender from Sydney Metro in the sum of \$12,000 (excl GST) for the sale of 30 (under the Biodiversity Offset Scheme – Biodiversity Conservation Act 2016) credits for *Meridolum corneovirens* (Cumberland Plain Land Snail);
- Accept the tender from the Department of Industry, Transport, Regional Development and Cities in the sum of \$120,488.85 (excl GST) for the sale of 149 (under the Threatened Species Conservation Act 1995) credits for *Pimelea spiciata* (Spiked Rice Flower); and
- As tender prices received for the ecosystem credits have not achieved spot price, decline to accept tender offers for the ecosystem credits and, under clause 178(3)(e) of the Local Government Act (General) Regulation 2005, enter into negotiations with any person (whether or not the person was a tenderer) to achieve a higher price per credit.

It is noted that credits that Council did not receive offers for and/or are not transacted at this time will continue to be available.

Council will be provided with an update on the outcome of the negotiations for ecosystem credits.

## RECOMMENDED

**That Council:**

- i. **accept the tender from Sydney Metro in the sum of \$12,000 (excl. GST) for the sale of 30 (under the Biodiversity Offset Scheme – Biodiversity Conservation Act 2016) credits for *Meridolum corneovirens* (Cumberland Plain Land Snail);**
- ii. **accept the tender from the Department of Industry, Transport, Regional Development and Cities in the sum of \$120,488.85 (excl. GST) for the sale of 149 (under the *Threatened Species Conservation Act 1995*) credits for *Pimelea spiciata* (Spiked Rice Flower);**
- iii. **decline to accept any of the tenders for the ecosystem credits and, under clause 178(3)(e) of the *Local Government Act (General) Regulation 2005*, 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;**

- 
- iv. in accordance with Clause 178(4) of the *Local Government (General) Regulation 2005*, decline to invite fresh tenders for the ecosystem credits as Council has already undertaken a comprehensive open tender process, the tenders received did not fully meet Council's requirements, it is considered that repeating the process would not achieve a better result, however review of the tenders received provides sufficient basis for negotiating a satisfactory outcome; and
- v. delegate authority to the General Manager or his nominee, to negotiate with suitable persons with the intent to reach an outcome which is considered most advantageous and enter into a contract for the sale of biodiversity credits following negotiations.

#### ATTACHMENTS

1. T004/2020 - Sale of Biodiversity Credits for Gundungurra Reserve - *Supporting Document*
2. Biobanking Spot Price Register



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## ORDINARY COUNCIL

### ORD12

**SUBJECT: TENDER T007/2020 & T008/2020 – CAMDEN COUNCIL WORKS  
DEPOT REDEVELOPMENT, MILLWOOD AVENUE NARELLAN  
CONSTRUCTION OF CIVIL AND BUILDING WORKS**

**FROM:** Director Community Assets

**TRIM #:** 20/307062

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### PURPOSE OF REPORT

The purpose of this report is to advise Council of the tenders received for T007/2020 – Civil Works & T008/2020 Building Works for the Depot redevelopment at Millwood Avenue, Narellan and recommend that Council decline to accept the tenders and to undertake further action for the reasons set out in this report.

### BACKGROUND

The Camden Council Works Depot, located in Millwood Avenue, Narellan is identified as requiring expansion to improve capacity and efficiency of the site, to support operations that will address the unprecedented growth of the Community over the next 10 years.

Councillors were briefed on this matter in August 2020.

### MAIN REPORT

#### Legislation

This tender process was conducted in accordance with the *Local Government Act 1993*, the *Local Government (General) Regulation 2005* and Council's Procurement Policy and Guidelines.

#### Work, Health & Safety Requirements

The tenderers submitted all the relevant Work, Health and Safety requirement as required for this contract. This will be further reviewed as part of the negotiation process.

#### Certificates of Currency

The tenderers provided all insurances as required for this contract. This will be further reviewed as part of the negotiation process.

#### Advertising of Tenders

The tenders for construction of the civil works and building works for the Camden Depot Redevelopment was called on 16 June 2020 and publicly advertised on Council's website. The tender was open for a period of 44 days until the closing date 30 July 2020 and was available through the e-tendering website: [www.tenders.nsw.gov.au](http://www.tenders.nsw.gov.au).

Tender T007/2020 was for the civil works and consisted of hardstand areas, road pavement, parking, stormwater, landscaping and services upgrades in preparation for the building contractor.

Tender T008/2020 was for the building works and installation of sheds, awnings, pre-fabricated modular administration buildings, fit out and improvement works to existing demountable buildings.

### Tenders Received

Council received 12 on time tender responses from the following organisations for Tender T007/2020:

<b>T007/2020 - Civil Works</b>	
<b>Tender</b>	<b>Suburb</b>
Hibernian Contracting Pty Ltd	Rozelle NSW
The Civil Experts Pty Ltd T/AS TCE Contracting	Homebush NSW
Rainbow Group Pty Ltd	Padstow NSW
Project Coordination (Australia) Pty Ltd	Unanderra NSW
Lloyd Group Pty Ltd	Pymont NSW
Devon Civil Pty Ltd	Blacktown NSW
Delaney Civil Pty Ltd	Bella Vista NSW
Cleary Bros Pty Ltd	Port Kembla NSW
D&M Excavations & Asphaltting Pty Ltd	Greenacre NSW
CA&I Pty Ltd	Chippendale NSW
Brodyn Pty Ltd T/As TCQ Construction	Chullora NSW
Brefni Pty Ltd	Smeaton Grange NSW

Council received nine on time tender responses from the following organisations for Tender T008/2020. Three tenders were non-conforming.

<b>T008/2020 – Building Works</b>	
<b>Tender</b>	<b>Suburb</b>
Hibernian Contracting Pty Ltd	Rozelle NSW
Dezign	Wetherill Park NSW
AMA Projects Pty Ltd	Sydney NSW
Project Coordination (Australia) Pty Ltd	Unanderra NSW
Lloyd Group Pty Ltd	Pymont NSW
Jaybuild Carpentry	Matraville NSW
Complete Interior Linings Pty Ltd	Sydney NSW
B&W Wrought Iron Pty Ltd	Ingleburn NSW
Brodyn Pty Ltd T/As TCQ Construction	Chullora MSW

### Tender Evaluation Process

The aim of the tender evaluation process is to assess the capability of the tenderers to provide the best value and quality services to Council and to recommend the preferred tenderer.



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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 60% and non-price factors a weighting of 40%. Included in the non-priced factors was a 5% weighting for local preference.

Non-price factors considered for this project were:

- Works methodology;
- Construction program;
- Experience in similar projects and environments;
- Project team experience;
- Local Supplier Preference; and
- Work Health and Safety.

An assessment of the tenders was undertaken in line with the tender evaluation plan. A summary of the tender evaluation is provided as a **supporting document**. Please note this information is commercial-in-confidence.

#### Tender Compliance Panel

Tender submissions and evaluations were reviewed by the Tender Compliance Panel and all (if any) recommendations have been addressed.

### **CONCLUSION**

#### Recommendation of the Tender Evaluation Panel

Council called for Tender T007/2020 – Civil Works, and Tender T008/2020 Building Works, for the Depot redevelopment at Millwood Avenue, Narellan, in order to improve the capacity of the Depot to accommodate growth within the Camden LGA. All of the tender prices received have exceeded the budget allocated for the works included in the contracts. It is considered that reissuing tenders for this project would not achieve a better result at this time, as a comprehensive tender process has already occurred.

Therefore, under Section 178(3)(e) of the *Local Government Act (General) Regulation 2005*, it is recommended that Council decline to accept all tenders and enter into negotiations with any person (whether or not the person was a tenderer) with a view to entering into a contract to undertake Civil and Building Works for the Depot redevelopment to achieve the best outcome for Council. Council will be provided with an update on the outcome of the negotiations.

### **RECOMMENDATION**

**That Council:**

- decline to accept any of the tenders submitted in response to Tender T007/2020 & T008/2020 being the Camden Council Depot Redevelopment Construction of Civil Works, Services and Buildings and, in accordance with Clause 178(3)(e) of the *Local Government (General) Regulation 2005*, 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 tenders;**

- 
- ii. **in accordance with Clause 178(4) of the *Local Government (General) Regulation 2005*, decline to invite fresh tenders as Council has already undertaken a comprehensive open tender process, the tenders received did not fully meet Council's requirements, it is considered that repeating the process would not achieve a better result, however review of the tenders received provides sufficient basis for negotiating a satisfactory outcome; and**
  - iii. **delegate authority to the General Manager or his nominee, to negotiate with suitable contractors with the intent to reach an outcome which is considered most advantageous and enter into a contract for the works following negotiations.**

#### ATTACHMENTS

1. Tender T007/2020 and Tender T008/2020 Camden Council Depot Redevelopment Narellan Building Works - *Supporting Document*



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## ORDINARY COUNCIL

**ORD13**

**SUBJECT: TENDER T010/2020 - PRINCIPAL CONTRACTOR FOR CONSTRUCTION OF FERGUSON'S LAND CRICKET FACILITY**

**FROM:** Director Community Assets

**TRIM #:** 20/293203

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### PURPOSE OF REPORT

The purpose of this report is to advise Council of the tenders received for T010/2020 - Principal Contractor for Construction of Ferguson's Land Cricket Facility and recommend that Council accept the tender submitted by TJ & RF Fordham Pty Ltd.

### BACKGROUND

At its meeting on 9 July 2019, Council endorsed the Ferguson's Land masterplan(s) and Stage 1 scope of works which included:

- A Cricket Oval with turf centre wickets, irrigation and picket fencing;
- Amenities building with ablutions, changerooms and storage;
- Carparking facilities;
- Five synthetic cricket nets;
- New bridge access over Matahil Creek;
- Maintenance shed;
- Electrical substation; and
- Landscaping.

As part of the endorsement, Council requested an increased setback of the ultimate design to accommodate additional landscaping along the western boundary adjacent to property Lot 102 DP1103419 (74 Ferguson Lane). The setback has been increased to 8m in the ultimate facility design with additional landscaping proposed along the property boundary. The proposed vegetation along the boundary has been consulted with the owner and incorporated into the Stage 1 scope of works.

Councillors were briefed on the Ferguson's Land Cricket Facility on 12 March 2019, 25 June 2019 and 1 June 2020.

### MAIN REPORT

#### Legislation

This tender process was conducted in accordance with the Local Government Act 1993, the *Local Government (General) Regulation 2005* and Council's Procurement Policy and Guidelines.

#### Financial Implications

Council has a sufficient funds allocated from the operational budget to proceed with the proposed works in accordance with the terms and conditions of this tender.



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### Contract Term

The contract term is for the duration of the construction works. The delivery of the Stage 1 works is anticipated to be completed by December 2021.

### Work, Health & Safety Requirements

The selected tender meets all WHS requirements as required for this contract.

### Certificates of Currency

The selected tender has provided all current insurances as required for this contract.

### Advertising of Tenders

A select tender for T010/2020 Principal Contractor for Construction of Ferguson's Land Cricket Facility was issued to seven preferred contractors following completion of an Expression of Interest (EOI) process in July 2020. The tender was open for a period of four weeks until the closing date on 2 September 2020 and was available to these companies through the e-tendering website: [www.tenders.nsw.gov.au](http://www.tenders.nsw.gov.au).

### Tenders Received

Council received seven *on time* tender responses from the following organisations.

<b>Tender</b>	<b>Suburb</b>
Cleary Bros (Bombo) Pty Ltd	Port Kembla NSW
Daracon Contractors Pty Ltd	Beresfield NSW
Robson Civil Projects Pty Ltd	Somersby NSW
TJ & RF Fordham Pty Ltd	Oran Park NSW
Western Earthmoving Pty Ltd	Seven Hills NSW
Ford Civil Contracting Pty Ltd	Arncliffe NSW
Glascott Landscape & Civil Pty Ltd	Lane Cove NSW

### Tender Evaluation Process

Tenders were assessed by the Tender Evaluation Panel, in accordance with Council's Procurement Procedures and Guidelines. Price was given weighting of 60% and non-price factors a weighting of 40%. Included in the non-priced factors was a 5% weighting for local supplier preference.

Following the close of the tender period, each tender was evaluated by the members of the Tender Evaluation Panel using a Tender Evaluation and Pricing Matrix on the following criteria:

- Methodology and Understanding of Project;
- Project Team Including Subcontractors;
- Program;
- Local supplier preference; and
- Interview if required.

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



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### Tender Compliance Panel

Tender submissions and evaluations were reviewed by the Tender Compliance Panel and all recommendations have been addressed.

### CONCLUSION

#### Recommendation of the Tender Evaluation Panel

It is recommended that Council accept the tender from TJ & RF Fordham Pty Ltd in the sum of \$6,193,185 (excl. GST). This tenderer overall provided a submission that demonstrated a thorough understanding of the project, provided evidence of relevant experience in similar sized, complex projects and demonstrated value for money.

### RECOMMENDED

**That Council accept the tender provided by TJ & RF Fordham Pty Ltd as per the terms and conditions of T010/2020 Principal Contractor for Construction of Ferguson's Land Cricket Facility for the lump sum of \$6,193,185 (excl. GST) in accordance with Council's adopted budget.**

#### ATTACHMENTS

1. Tender T010/2020 Principal Contractor for Construction of Ferguson's Land Cricket Facility - *Supporting Document*

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## ORDINARY COUNCIL

ORD14

### NOTICE OF MOTION

**SUBJECT: NOTICE OF MOTION - MOBILE PHONE RECEPTION**  
**FROM: Cr Symkowiak**  
**TRIM #: 20/318708**

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“I, Councillor Lara Symkowiak hereby give notice of my intention to move the following at the Council Meeting of 13 October 2020:

That Council:

- i. conduct an online survey for the residents of the Michelia Estate, Harrington Park to gain their feedback in relation to the quality of their mobile phone reception; and
- ii. use the feedback from the survey to have the General Manager write to the relevant telecommunication authorities, on behalf of the residents, about improving the quality of the mobile phone reception coverage in the Michelia Estate area, Harrington Park.”

### RECOMMENDED

That Council:

- i. **conduct an online survey for the residents of the Michelia Estate, Harrington Park to gain their feedback in relation to the quality of their mobile phone reception; and**
- ii. **use the feedback from the survey to have the General Manager write to the relevant telecommunication authorities, on behalf of the residents, about improving the quality of the mobile phone reception coverage in the Michelia Estate area, Harrington Park.**



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## ORDINARY COUNCIL

## ORD15

**SUBJECT: CLOSURE OF THE MEETING TO THE PUBLIC**  
**FROM:** General Manager  
**TRIM #:** 20/310053

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In accordance with the *Local Government Act 1993* and the *Local Government (General) Regulation 2005*, the following business:

- Economic Development Service Review

is, in the opinion of the General Manager, a report that is inclusive of a matter referred to in Section 10A(2) of the Act, being:

- Personnel matters concerning particular individuals (other than Councillors) (Section 10A(2)(a));

and should be dealt with in a part of the meeting closed to the media and public.

Before a part of the meeting is closed, members of the public may make representations as to whether that part of the meeting should be closed. Representations can only be made in writing to the General Manager prior to the commencement of the meeting or a fixed period immediately after the motion is moved and seconded. That period is limited to four minutes under Council's Code of Meeting Practice.

The meeting will only be closed during discussion of the matters directly the subject of the report and no other matters will be discussed in the closed part.

Members of the public will be readmitted to the meeting immediately after the closed part has ended and, if Council passes a resolution during the closed part, the Chairperson will make the resolution public as soon as practicable after the closed part has ended.

### **RECOMMENDED**

**That Council:**

- hear any objection or submission by a member of the public, limited to a period of four minutes, concerning the closure of the meeting; and**
- close the meeting to the media and public to discuss a report that is inclusive of personnel matters in accordance with the provisions of Section 10A(2)(a) of the *Local Government Act 1993*.**