

18 Confidential Items

18.1 Local Roads and Community Infrastructure Phase 3 funding options - Rescission Motion

Report Reference	GC211214F18.1
Originating Officer	Chief Executive Officer – Tony Harrison
Corporate Manager	N/A
General Manager	N/A

CONFIDENTIAL MOTION

That pursuant to Section 90(2) and (3)(d)(i) and (ii) of the Local Government Act 1999, the Council orders that all persons present, with the exception of the following persons: Chief Executive Officer, General Manager City Development, General Manager Corporate Services, General Manager City Services, Manager Office of the CEO, Chief Finance Officer, Unit Manager Governance and Council support and Governance Officer, be excluded from the meeting as the Council receives and considers information relating to Local Roads and Community Infrastructure Phase 3 funding options - Rescission Motion, upon the basis that the Council is satisfied that the requirement for the meeting to be conducted in a place open to the public has been outweighed by the need to keep consideration of the matter confidential given the information relates to confidential commercial information of projects in relation to information regarding project costings.

REPORT HISTORY

Report Reference	Report Title
SGC210713F7.1 GC200623R16	Marion Cultural Centre Plaza
GC210914R11.2 GC211027R09	Lander Road/Young Street junction upgrade
GC210914R18.3 SGC210127R09	Sports Lighting Projects

REPORT OBJECTIVE

Pursuant to Regulation 21 of the Local Government (Procedures at Meetings) Regulations 2013, the CEO may submit a report to Council recommending a rescission motion.

Three projects; Marion Cultural Centre Plaza, Lander Road/Young Street slip lane, and the Sports Lighting project are endorsed by Council to submit funding applications to the Commonwealth Local Roads and Community Infrastructure Phase 3 (LRCI Phase 3), pending eligibility once grant guidelines opened.

Due to a reduced funding requirement for the Sports lighting project as a result of the tender process, this report seeks to rescind earlier resolutions related to LRCI Phase 3 funding. Furthermore, the LRCI Phase 3 guidelines require engagement with Members of Parliament to decide priority projects. The level of ongoing reporting to MPs with progress updates on the projects throughout the delivery and completion stages would see efficiencies should the LRCI phase 3 funding be distributed to one project only.

This report proposes to distribute the entire LRCI Phase 3 allocation of [REDACTED] allocation to the Marion Cultural Centre Plaza project. Through the reallocation of LRCI Phase 3 funding, this report also seeks to resolve the funding gap for the Lander Road/Young Street slip lane.

EXECUTIVE SUMMARY

This report proposes that Council submit one funding application to allocate the entire LRCI Phase 3 allocation of [REDACTED] to the Marion Cultural Centre Plaza project, and rescind earlier resolutions related to LRCI Phase 3 funding. This report also looks to resolve the funding gap for the Lander Road/Young Street slip lane.

The suggested changes amend endorsed budget allocations.

Three projects; Marion Cultural Centre Plaza (SGC210713F7.1), Lander Road/Young Street slip lane (GC210914R11.2), and the Sports Lighting project (GC210914R18.3) were endorsed by Council to submit funding applications to LRCI Phase 3 pending eligibility once grant guidelines opened.

Fortuitously, the tender bid on the sports lighting project came in below the anticipated project cost, reducing the requirement to access LRCI Phase 3 funding above the original endorsed [REDACTED] project cost (GC211027R09).

In October 2021, LRCI Phase 3 grant guidelines were made available. The guidelines require engagement with Members of Parliament to decide priority projects. The level of ongoing reporting to MPs with progress updates on the projects throughout the delivery and completion stages would see efficiencies should the LRCI phase 3 funding be allocated to one project only.

In summary, this report seeks a rescission on previous resolutions (see Attachment 2 for the full detail of resolutions) connected to LRCI Phase 3 funding/related projects and seek the following outcomes:

- Allocation of the total LRCI Phase 3 funding, [REDACTED] to the Marion Cultural Centre Plaza project thereby reducing the previously endorsed allocation of [REDACTED] to [REDACTED] from the Asset Sustainability Reserve fund.
- Allocates a further [REDACTED] as part of Council's budget review process toward the [REDACTED] Lander Road Slip Lane to meet an existing funding gap should the LRCI Phase 3 funding be allocated to the Marion Cultural Centre Plaza.
- Notes the revised project cost of the Lander Road/Young Street junction, following a competitive tender bid.

RECOMMENDATION

In accordance with Regulation 21 of the Local Government (Procedures at Meetings) Regulations 2013, Council:

1. Rescinds the following 'Recommendation 2' from GC200623R16 report 'Marion Cultural Centre Plaza Master Plan Review':

Endorses staff to seek grant funding for 50 percent of the MCC Plaza project, Council funding allocation comprised of:

- [REDACTED] (Warracowie Way deferred GC181211R11) and
- [REDACTED] (Asset Sustainability fund)

2. Rescinds the following 'Recommendation 5' from SGC210713F7.1 report 'Marion

Cultural Centre Plaza':

Endorses progress to seek funding to support the existing [REDACTED] Council allocation from an allocation of [REDACTED] from the Commonwealth Local Road and Community Infrastructure Program 2021/22.

3. Rescinds the following 'Recommendation 1' from GC210914R11.2 report 'Lander Road/Young Street junction upgrade':

Allocates up to [REDACTED] funding from the Local Roads and Community Infrastructure Round 3 grant for the Lander Road and Young Street intersection upgrades.

4. Rescinds the following 'Recommendation 2' from GC210914R18.3 report 'Sports Lighting project':

Option- 1 Proceed with all four sites

The four sports sites lighting upgrades being completed (Glandore Oval, Marion Oval, Marion RSL Bowling club, Marion tennis club) with [REDACTED] additional funding allocated from the Local Roads and Community Infrastructure Program (LRCIP) round 3 to provide a total budget allocation of [REDACTED]

That Council:

1. Endorses staff to submit an application of [REDACTED] from the Commonwealth Local Community Infrastructure Phase 3 grant to the [REDACTED] Marion Cultural Centre Plaza project, Council funding allocation to comprise of:
 - [REDACTED] (Warracowie Way deferred GC181211R11) and
 - [REDACTED] (Asset Sustainability Reserve fund)
2. Endorses the Lander Road project costing [REDACTED] with funding to comprise of the following:
 - [REDACTED] State Government Special Local Roads grant
 - [REDACTED] from within existing 2021/22 budgets
 - [REDACTED] to be allocated through council's 2nd budget review process 2021/22
3. Endorses up to [REDACTED] to deliver lighting at Marion Oval, Glandore Oval, Marion RSL Bowling Club and Marion Tennis Club, Council funding allocation to comprise of:
 - [REDACTED] Local Roads and Community Infrastructure Phase 2
 - [REDACTED] from within existing 2021/22 budgets
4. Endorses the engagement approach with the Member of Parliament outlined in this report on the project nominated for LRCI Phase 3 funding, subject to any changes made by Council.
5. In accordance with Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that this report, Local Roads and Community Infrastructure Phase 3 funding options - Rescission Motion, any appendices and the minutes arising from this report having been considered in confidence under Section 90(2) and (3) (d) of the Act, except when required to effect or comply with Council's resolution(s) regarding this matter, be kept confidential and not available for public inspection for a period of 12 months from the date of this meeting. This confidentiality order will be reviewed at the General Council Meeting in December 2022.

GENERAL ANALYSIS

Opportunities: Delivery of the MCC (Marion Cultural Centre Plaza) outlined in Council's 4YBP (4 Year Business Plan) and alignment to Council's Strategic Plan 2019-2029 Liveable goal L2 'We will create more opportunities for residents to enjoy recreation and social interaction in our neighbourhood centres, libraries, sports facilities and other Council facilities'.

Risk Management: LRCI Phase 2 funding of [REDACTED] at risk if the Sports Lighting project is not acquitted by 30 June 2022.

DISCUSSION

The projects outlined in the below table were endorsed by Council to proceed to application through the LRCI Phase 3.

Project	Total project cost	CoM (City of Marion) contribution/ other funds	Amount previously endorsed for funding through LRCI Phase 3	Status
Marion Cultural Centre Plaza (SGC210713F7.1)	[REDACTED]	[REDACTED] Asset Sustainability Reserve Fund (GC200623R16) [REDACTED] Warracowie Way Streetscape budget (GC200623R16)	[REDACTED] (SGC210713F7.1)	Eligible to receive funding through the LRCI Phase 3 grant round.
Lander Road/young Street slip lane (GC210914R11.2)	[REDACTED]	[REDACTED] (CoM) Special Local Roads Program grant	'Up to [REDACTED]	A funding gap of [REDACTED] is needed
Sports lighting GC210914F18.3, GC210127R09 GC201208R09	[REDACTED]	[REDACTED] LRCI Round 2 (CoM) (Include council endorsement)	[REDACTED]	A competitive tender process has resulted in the project cost now at [REDACTED] Phase 3 guidelines also consider this to ineligible for Phase 3 funding.
LRCI Round 3 allocation				[REDACTED]

Marion Cultural Centre Plaza

Attachment 1 outlines the letter provided by the Federal Government and states 'It is expected that you engage with your local Federal Member of Parliament when determining priority projects, as well as through the delivery and completion phases.'

To effectively support ongoing MP (Member of Parliament) engagement requirements associated with the LRCI Phase 3 grant, which also include an opening event and regular quarterly reports and evidence of progress, it is suggested that the entire LRCI Phase 3 funding of [REDACTED] is reverted to the Marion Cultural Centre Plaza project. This approach reduces the existing [REDACTED] commitment from the Asset Sustainability Reserve fund to [REDACTED]

Lander Road

Lander Road/Young Street junction is a [REDACTED] project with a [REDACTED] commitment from existing budgets. At the time the report was considered (GC210914R11.2) council was awaiting grant outcomes from the State Special Local Roads grant, and due to this the endorsement sought 'up to [REDACTED]' that was intended to cater for the funding gap if the State Government Special Local Roads grant was not secured.

As the Special Local Roads grant of [REDACTED] was secured, there is a funding gap of [REDACTED]

To ensure that the Lander Road/Young Street Slip Lane project can progress, it is suggested that Council fund the balance of [REDACTED] through the 2nd budget review 2021/22.

Sports lighting

The Sports lighting was twice considered by Council. The original project cost of [REDACTED] (GC210127R09) was endorsed through a [REDACTED] allocation of LRCI Phase 2 funds and an allocation of [REDACTED] from within existing budgets. Another confidential report (GC210914F18.3) went to council seeking additional council funding due to inflated quotations that came from the market.

Through the procurement process, materials were sourced directly that have enabled the project to be delivered at the original cost projection of [REDACTED], below the last projected project cost of [REDACTED] presented at GC210927R09. The Sports Lighting project has an LRCI Phase 2 allocation of [REDACTED] and a City of Marion contribution of [REDACTED]

MP Engagement

It is anticipated that engagement with the MP on the nominated project would occur through a letter by the Mayor with an opportunity for the MP to provide feedback within 21 days.

ATTACHMENTS

1. Attachment 1 Commonwealth letter LRCI Phase 3 [18.1.1 - 1 page]
2. Attachment 2 Full resolutions [9029] [18.1.2 - 3 pages]

**THE HON BARNABY JOYCE MP**

Deputy Prime Minister
Minister for Infrastructure, Transport and Regional
Development

THE HON KEVIN HOGAN MP

Assistant Minister to the Deputy Prime Minister
Assistant Minister for Local Government

Ref: MS21-002306

Dear Program Partner

We are writing to offer an Australian Government Grant under the Local Roads and Community Infrastructure (LRCI) Program Phase 3. The offer to undertake the Grant Activity, including the grant amount is set out in the attached Grant Agreement.

It is expected that you engage with your local Federal Members of Parliament when determining priority projects, as well as through the delivery and finalisation phases. This expectation is outlined in the LRCI Program Phase 3 Guidelines, which are available on the Department's website at <https://investment.infrastructure.gov.au/about/local-initiatives/local-roads-and-community-infrastructure>.

To deliver the best outcomes, councils should use local businesses and workforces to deliver projects under the LRCI Program, ensuring funding flows into the local community.

To accept this offer, please sign the attached Grant Agreement and email a scanned copy to LRCIP@infrastructure.gov.au. The attached Grant Agreement has been signed by the Commonwealth, represented by the Department of Infrastructure, Transport, Regional Development and Communications, and a legally binding agreement will be created once the Grant Agreement is signed by you. In agreeing to and signing the Grant Agreement, you confirm that you have read and understood the Program Guidelines and Grant Agreement.

We look forward to our ongoing partnership delivering priority road and infrastructure projects.

Yours sincerely

Handwritten signature of Barnaby Joyce in black ink.

BARNABY JOYCE MP

Handwritten signature of Kevin Hogan in black ink.

KEVIN HOGAN MP

The Hon Barnaby Joyce MP
Parliament House Canberra | (02) 6277 4011 | minister.joyce@infrastructure.gov.au
Suite 17, 454-456 Peel Street, Tamworth NSW 2340 | Barnaby.Joyce.mp@aph.gov.au

Attachment 2

GC200623R16 Marion Cultural Centre Master Plan Review

RECOMMENDATION

1. Endorses the vision and objectives of the draft landscape master plan for consultation and coordination with key stakeholders to support the development of an integrated plan.

2. Endorse staff to seek grant funding for 50 percent [REDACTED] of the MCC Plaza project. Council funding allocation comprised of: [REDACTED] (Warracowie Way deferred GC181211R11) and Page 277 [REDACTED] (Asset Sustainability Reserve Funding).

3. Notes the draft master plan cost estimates for capital works and opportunity for grant funding.

4. Notes Office of Recreation, Sport and Racing (ORSR) in-principle support for the vision and objectives and time frames for site planning coordination late 2020 to early 2021.

5. Notes a future Council report will be presented early 2021, informing of key stakeholder design review, funding model(s) and implementation plan options.

6. Notes a broader community consultation plan will be developed based on stakeholder feedback for Council endorsement 2020/21.

SGC210713 - Confidential Special General Council Meeting – Marion Cultural Centre Plaza

RECOMMENDATION

That Council:

1. Notes key stakeholder in principle support for the vision and objectives for an integrated public realm

2. Notes ORSR master planning process, scope and times lines.

3. Notes Council has been unsuccessful in receiving grant funding from:

a. State Government – Local Government Stimulus Grant (2020/21)

b. Open Space and Places for People Grant (2020/21)

4. Notes Council has been successful with State Bicycle Fund 2021/22 for [REDACTED] to contribute to the proposed Pedestrian Activated Crossing on Diagonal Road connecting to Warracowie Way.

5. Endorses progress to seek funding to support the existing [REDACTED] Council allocation from either

a. An allocation of [REDACTED] from the Commonwealth Local Road Community Infrastructure Program 2021/22; or,

b. Grant funding application be submitted for Open Space and Places for People 2021/22

6. Endorses community consultation to commence on the draft Marion Cultural Centre Plaza master plan to support design development with key stakeholders. A future report to be presented to Council with consultation findings and grant funding confirmation.

7. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the content under the heading 'South Australian Aquatic and Leisure Centre' be redacted as it was provided in confidence by the Office for Recreation, Sport and Racing along with references to funding allocations through the report and attachments to be redacted having been considered in confidence under Section 90(2) and (3)(d)(i) and (ii) of the Act, except when required to effect or comply with Council's resolution(s) regarding this matter, and be kept confidential and not available for public inspection for a period of 12 months from the date of this meeting. This confidentiality order will be reviewed at the General Council Meeting in December 2021.

GC210914R11.2 report 'Lander Road/Young Street junction upgrade':

RECOMMENDATION

That Council:

1. Allocates up to [REDACTED] from the Local Roads and Community Infrastructure Round 3 grant for the Lander Road and Young Street intersection upgrade.

GC210914R18.3 report 'Sports Lighting Project'

1. Notes the existing project funding allocation of [REDACTED] consisting of [REDACTED] from round 2 of the Local Roads and Community Infrastructure Program (LRCIP), and [REDACTED] allocated in Councils 2021-22 budget.

2. Endorses:

1. Option 1 - Proceed with all four sites

The four sports sites lighting upgrades being completed (Glandore Oval, Marion Oval, Marion RSL Bowling Club, Marion Tennis Club) with [REDACTED] additional funding allocated from the Local Roads and Community Infrastructure Program (LRCIP) Round 3 to provide a total budget allocation of [REDACTED]

OR

2. Option 2 - Proceed with three sites

a) Three sports sites lighting upgrades being completed (Glandore Oval, Marion Oval, Marion RSL Bowling Club) with [REDACTED] additional funding allocated from the Local Roads and Community Infrastructure Program (LRCIP) Round 3.

b) Notes the removal of the Marion Tennis Club lighting upgrade from this project.

3. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that Attachment 18.3.1 to the report, Sports Lighting Project LRCIP Funded, having been considered in confidence under Section 90(2) and (3) (b), (i) and (ii) of the Act, except when required to effect or comply with Council's resolution(s) regarding this matter, be kept confidential and not available for public inspection for a period of 12 months from the date of this meeting. This confidentiality order will be reviewed at the General Council Meeting in December 2021.