

SHOALHAVEN CITY COUNCIL

E X T R A – O R D I N A R Y M E E T I N G

To be held on Tuesday, 1st May, 2007
Commencing at 4.30 pm

City Administrative Centre
Bridge Road
NOWRA NSW 2541

7th March, 2007

Councillors,

NOTICE OF MEETING

You are hereby requested to attend the Extra-Ordinary Meeting of the Council of the City of Shoalhaven, **to be held in the Council Chambers at the City Administrative Centre, Bridge Road, Nowra on Tuesday, 1st May, 2007 commencing at 4.30 pm** for consideration of the following business.

Yours faithfully

R D Pigg
General Manager

Membership

All Councillors

BUSINESS OF MEETING

- 1. Apologies**
- 2. Report of the General Manager**
Shoalhaven Water
- 3. Notice of Motion**
Rescission Motion - DCP No.54 Huskisson Town Centre Draft Amendment No 2

Cell Phones:

Council's Code of Meeting Practice states that "All cell phones are to be turned off for the duration of the meeting".

LOCAL GOVERNMENT ACT 1993

Chapter 3

Section 8(1) - The Council's Charter

(1) The council has the following charter:

- to provide directly or on behalf of other levels of government, after due consultation, adequate, equitable and appropriate services and facilities for the community and to ensure that those services and facilities are managed efficiently and effectively
- to exercise community leadership
- to exercise its functions in a manner that is consistent with and actively promotes the principles of multiculturalism
- to promote and to provide and plan for the needs of children
- to properly manage, develop, protect, restore, enhance and conserve the environment of the area for which it is responsible, in a manner that is consistent with and promotes the principles of ecologically sustainable development
- to have regard to the long term and cumulative effects of its decisions
- to bear in mind that it is the custodian and trustee of public assets and to effectively account for and manage the assets for which it is responsible
- to facilitate the involvement of councillors, members of the public, users of facilities and services and council staff in the development, improvement and co-ordination of local government
- to raise funds for local purposes by the fair imposition of rates, charges and fees, by income earned from investments and, when appropriate, by borrowings and grants
- to keep the local community and the State government (and through it, the wider community) informed about its activities
- to ensure that, in the exercise of its regulatory functions, it acts consistently and without bias, particularly where an activity of the council is affected
- to be a responsible employer.

REPORT OF GENERAL MANAGER

EXTRA-ORDINARY MEETING OF COUNCIL

TUESDAY, 1 MAY 2007

SHOALHAVEN WATER

1. Tender - Burrill Lake Pump Station Upgrade

File 35754

Summary

Three pump stations in Burrill Lake require upgrading as part of the overall Milton/Ulladulla Sewerage Scheme Upgrade and also to provide capacity for the transfer of wastewater from the Tabourie Lake Sewerage Scheme and proposed growth in the Dolphin Point area.

Pump Station Upgrade

- # Existing pump stations No. B1, B3 and B4 in Burrill Lake (see Attachment 1) require upgrade for OH & S, operational and capacity reasons. The upgrades are part of the overall Milton/Ulladulla sewerage scheme development that has included the new treatment plant. There is a total of 28 pump stations in the Milton/Ulladulla area to be upgraded. The remainder of the pump stations will be upgraded in three construction packages over the next three years.

The Burrill Lake upgrade replaces the existing with new pump stations and includes buildings for switchboards in the three locations. The estimated cost of the contract is \$3.96m (incl GST) and funds are available.

The Department of Commerce (Wollongong) has been engaged to undertake the tendering and evaluation process, and will manage the contract on Council's behalf.

Tender Evaluation

Tenders were called on 22 January 2007 and closed in Wollongong on 27 February 2007 with only three tenders being received as follows:

| Tenderer | Tender Amount | Assessed & Loaded Tender Amount | Final Assessed and Loaded Tender Amount | Adjusted Tender Amount |
|-------------------------|----------------|---------------------------------|---|------------------------|
| Firedam P/L | \$3,443,811.06 | \$3,567,011.06 | \$3,593,811.06 | \$3,593,811.06* |
| PFC P/L | \$4,689,873.70 | \$4,808,273.70 | | |
| Clogher Excavations P/L | \$5,972,793 | \$5,982,933.00 | | |

* estimated Adjusted Tender Amount subject to finalisation of post tender qualifications/negotiations.

Tenders have been evaluated and in particular the lowest conforming tender from Firedam Constructions Pty Ltd. Firedam are currently finishing the Conjola Transport System Contract and is capable of completing the tender to the required standard and program. Final tender negotiations have not been finalised at this point in time and an Addendum Report will be provided prior to the meeting with recommendations for Council's consideration.

The Draft Tender Evaluation Report is in the Councillors information folder.

RECOMMENDED that Council consider the tenders for the upgrade of Burrill Pump Stations B1, B3 and B4.

2. Berry Pump Station Upgrade and Sewer Rising Main extension, Bomaderry

Files 1371-02, 24438-01

Summary

Five Pump Stations in Berry require upgrading as part of the overall Berry Sewerage Scheme upgrade that included the new treatment plant recently completed. Pump Stations 1, 5 and 6 are proposed to be upgraded in this contract, with the remaining two to be upgraded at a later time. (See Attachments 1 and 2)

The contract also includes the upgrade of infrastructure in Bomaderry to accept the flows from a recently upgraded pumping station at Cambewarra.

Infrastructure Works

Whilst Pump Stations 1 and 6 at Berry will be upgraded, however Pump Station 5 will replace an existing pump station in Victoria Street and provide capacity for new development to the west of the Princess Highway and adjacent proposed SEPP5 Development. The Bomaderry works include an extension of the Cambewarra Rising main and gravity sewer east of the highway. Whilst these works are not connected they have been bundled into the one contract for economies of scale. The location of the works is shown on the attached plan.

The estimated cost of the works is \$1,175,000 (incl GST) and funds are available.

Tender Evaluation

The Department of Commerce has been engaged to undertake the tendering process and to also manage the contract on Council's behalf. Tenders were called on the 7 March 2007 and closed in Wollongong on 3 April 2007 in Wollongong with six tenders being received as follows:

| Tenderer | Tender Amount | Assessed & Loaded Tender Amount | Final Assessed & Loaded Tender Amount | Adjusted Tender Amount |
|----------------------------------|---------------|---------------------------------|---------------------------------------|------------------------|
| Select Civil P/L | \$880,759 | \$900,259 | \$900,259 | \$891,689* |
| PFC Construction P/L | \$951,183 | \$951,183 | | |
| Fernandes Constructions P/L | \$1,246,000 | \$1,246,000 | | |
| Ledonne Constructions P/L | \$1,280,122 | \$1,305,122 | | |
| CLM Excavations P/L | \$1,316,404 | \$1,341,404 | | |
| Construction Maintain Manage P/L | \$1,634,779 | \$1,684,779 | | |

*Adjusted Tender Amount still subject to finalisation of tender qualifications

The tenders have been evaluated by for conformance with the specification, errors, supervision costs and estimated contingency amounts. The tender from Select Civil P/L has been assessed as the lowest conforming tender and is proposed for recommendation subject to financial checking. The report will be finalised and provided to Councillors in an Addendum report before the meeting, for its consideration.

The Draft Tender Evaluation Report is in the Councillors information folder.

RECOMMENDED that Council consider the tender for the Berry Pump Station Upgrade and Sewer Rising Main extension, Bomaderry.

B Tomkinson
ACTING DIRECTOR SHOALHAVEN WATER

J Gould
ASSISTANT GENERAL MANAGER

R.D Pigg
GENERAL MANAGER

ADDENDUM REPORT OF GENERAL MANAGER

EXTRA-ORDINARY MEETING

TUESDAY, 1 MAY 2007

SHOALHAVEN WATER

1. Tender - Burrill Lake Pump Station Upgrade

File 35754

Summary

This is an Addendum report to that shown in the Business Paper and provides additional information and alternative recommendations. The report in the Business Paper and tender evaluation advised of final negotiations with the lowest conforming tender, Firedam Civil Engineering Pty Ltd. The outstanding matter is an Addendum to the tender that is to be priced by Firedam and forming part of the tender.

Additional Information

- # In order to let the tender, the Department of Commerce has included a conservative sum of \$150,000 for the addendum works in the tender, as a provisional sum, pending the final negotiated price from Firedam. This has been included in the final tender recommendation shown in Councillors' Information Folder, with a final adjusted tender amount of \$3,267,100.96 (exc. GST). Whilst Firedam Civil Engineering Pty Ltd may require additional supervision (as discussed in the tender evaluation report) they have the technical and financial capacity to undertake the works as required and are still significantly less than the next lowest tenderer.

RECOMMENDED that Council:

- a) **Accept the tender from Firedam Civil Engineering Pty Ltd for the adjusted tender amount of \$3,267,100.96 (exc. GST) for Contract No. 0602585 for the Milton Ulladulla Sewerage Augmentation – Burrill Lake Pump Station Upgrade.**
- b) **Authorise the General Manager (Shoalhaven Water) to adjust the contract for rise and fall variations for components of the contract**

2. Tender - Berry Pump Station Upgrade and Sewer Rising Main Extension Bomaderry
File 1371-02, 24438-01

Summary

This is an Addendum report to that shown in the Business Paper, providing additional information and revised recommendation for the upgrade of three sewage pumping stations in the Berry Sewerage Scheme and the Cambewarra Sewerage Scheme Sewer Rising Main No. 23 at Bomaderry.

Additional Information

The report in the Business Paper and accompanying tender evaluation advised that the tender from Select Civil Pty Ltd had been assessed as the lowest conforming tender and propose acceptance subject to financial checking. The financial assessment has yet to be confirmed at time of writing.

It is proposed that the tender submitted by Select Civil Pty Ltd for the amount of \$810,626.10 (exc.GST) be accepted, subject to written confirmation of a satisfactory financial assessment.

RECOMMENDED that Council:

- a) **Accept the tender from Select Civil Pty Ltd for the adjusted tender amount of \$810,626.10 (exc. GST) for Contract No. 0602406 for the upgrade of three (3) Sewage Pumping Stations at Berry and Extension of Sewer Rising Main No. 23 at Bomaderry**
- b) **Authorise the General Manager (Shoalhaven Water) to adjust the contract for rise and fall/variations for components of the Contract.**

B Tomkinson
ACTING DIRECTOR SHOALHAVEN WATER

J Gould
ASSISTANT GENERAL MANAGER

R.D Pigg
GENERAL MANAGER

NOTICES OF MOTION
EXTRA ORDINARY MEETING
TUESDAY, 1ST MAY, 2007

1. Rescission Motion - DCP No.54 Huskisson Town Centre Draft Amendment No 2
File 10132-03

The following Rescission Motion of which due notice has been given, is submitted for Council's consideration:

That part (a) only of the motion in respect of DCP54 be rescinded. Parts (b) and (c) to stand.

Signed
Clr R Bates
Clr J Finkernagel
Clr R Rudd

Note: The following resolution was adopted at the Council meeting held on Tuesday 24th April, 2007:

RESOLVED on a MOTION of Clr Willmott, seconded Clr McCrudden that Council:

- a) *Adopt the Draft DCP No 54 for Huskisson CBD subject to the following:*
- i) *The terminology "Tourist Town" be retained within the wording of the DCP and for hierarchical considerations;*
 - ii) *The following bonus provisions be incorporated for buildings that demonstrate high architectural merit and a high degree of articulation:*
 - *On the northern side of Owen Street a maximum of up to four storeys where the development site consists of two or more lots and has a minimum area of 1200 square metres.*
 - *On the southern side of Owen Street a maximum of up to five storeys where the development site consists of two or more lots and has a minimum areas of 1200 square metres with a maximum of 50% floor space coverage on a sixth level for sites over 3000 square metres.*
- b) *Reactivate dialogue with National Parks and Wildlife Service in relation to the proposed bypass of Huskisson.*
- c) *Council advertise the following proposed amendment to the Development Control Plan No 54 in relation to Lot 2, DP 471682:*
- *Limiting development to a FSR of 1:1*
 - *A 12 metre setback from Currambene Street.*