



Yorke Peninsula Council

Minutes of the Meeting of the Yorke Peninsula Council

held on Wednesday 12th February 2014
in the Council Chambers
57 Main Street Minlaton commencing at 5.30 pm
(Subject to confirmation)

ITEM 1 WELCOME

Mayor Ray Agnew OAM welcomed everyone to the meeting, recited the opening prayer and declared the meeting open.

PRESENT

Mayor Ray Agnew OAM, Deputy Mayor Brenda Bowman, Councillors Jeff Cook, Trevor Davey, Bob Nicholls, John Sendy, Dean Butler, John Rich, Barry Schell, Tania Stock (5.38pm) and Veronica Brundell.

IN ATTENDANCE

Andrew Cameron	Chief Executive Officer
Roger Brooks	Director Development Services
Trevor Graham	Director Assets and Infrastructure Services
David Harding	Director Corporate and Community Services
Jackie Reddaway	Minute Secretary

LEAVE OF ABSENCE

Nil

APOLOGIES

Councillor David Langford

CONFLICT OF INTEREST

Mayor Agnew reminded all Elected Members of the requirement to disclose any conflict of interest in relation to any matters before Council.

Cr Cook advised Members that he had a conflict of interest in relation to Item 6.1 R3 Dog and Cat Board Nomination, as he was seeking nomination and Cr Nicholls advised Members

that he had a conflict of interest in relation to Item 4.3 R6 The Alliance Election Platform as he was standing as an Independent Candidate in the State Government Election in March 2014.

MINUTES OF THE PREVIOUS MEETING

Cr Bowman moved Cr Sedy seconded

That the minutes of the Council meeting held on Wednesday 22nd January 2014 at 5.30pm be confirmed as a true record.

CARRIED 022/2014 (12/02/2014)

Cr Davey moved Cr Nicholls seconded

That the minutes of the Confidential meetings held on Wednesday 22nd January 2014 at 6.09pm and 6.20pm be confirmed as a true record.

CARRIED 023/2014 (12/02/2014)

ITEM 2 MAYOR'S REPORT

Mayor Agnew advised Elected Members that a good number of staff and himself had attended the funeral of Nick Guerin (former employee) in Adelaide and asked that our condolences be extended to his family and friends on behalf of Yorke Peninsula Council and that this be recorded in the minutes.

Cr Trevor Davey had deputised for the Mayor at the Maitland Area School Leaders Induction Ceremony shaking hands with students and handing out their Leadership badges.

5.38pm Cr Stock entered the Chamber and joined the meeting.

Mayor Agnew offered a special welcome to Cr Stock to her first meeting as an Elected Member for the Kalkabury Ward.

Cr Stock thanked the Mayor and offered her apologies for being late for the meeting.

Mayor Agnew also advised Members that he had received and accepted the resignation of the Executive Officer of the Central Local Government Region Anita Crisp on behalf of the Executive Committee of CLGR. He further advised that he had commenced the process for recruiting a replacement Executive Officer.

Cr Rich moved Cr Brundell seconded

That the report from Mayor Agnew be received.

CARRIED 024/2014 (12/02/2014)

ITEM 3 COUNCILLORS' REPORT

Cr Cook moved Cr Butler seconded

That the report from Deputy Mayor Bowman be received.

CARRIED 025/2014 (12/02/2014)

5.42pm Cr Nicholls declared an interest in Item 4.3 R6 The Alliance Election Platform as he is standing as an Independent Candidate in the State Government Election in March 2014 and left the Chamber.

ITEM 4.2 ADOPTION OF INFORMATION AGENDA

Cr Schell moved Cr Bowman seconded

That the information items contained within the Information Agenda, be received.

CARRIED 026/2014 (12/02/2014)

5.43pm Cr Nicholls returned to the Chamber and joined the meeting.

ITEM 6 DEBATE AGENDA

6.1 CHIEF EXECUTIVE OFFICER - DEBATE

DA/CEO/R1

ACCESS TO COUNCIL AND COMMITTEE MEETINGS AND DOCUMENTS

Cr Davey moved Cr Rich seconded

That Council endorse and adopt the PO015 Access to Council and Committee Meetings and Documents policy for inclusion in Council's policy manual and on the website.

CARRIED 027/2014 (12/02/2014)

DA/CEO/R2

DELEGATIONS REGISTER

Cr Cook moved Cr Schell seconded

1. Delegations made under Local Government Act 1999

1.1 In exercise of the power contained in Section 44 of the Local Government Act 1999 the powers and functions under the following Act and specified in the proposed Instrument of Delegation contained in the Annexure to this report are hereby delegated this 12th day of February 2014 to the person occupying the office of Chief Executive Officer subject to the conditions and or limitations specified herein or in the Schedule of Conditions in the proposed Instrument of Delegation;

1.1.1 Heavy Vehicle National Law (South Australia) Act 2013;

1.2 Such powers and functions may be further delegated by the Chief Executive Officer as the Chief Executive Officer sees fit and in accordance with the relevant legislation unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation.

CARRIED 028/2014 (12/02/2014)

5.44pm Cr Cook declared an interest in DA 6.3 R3 as he was seeking nomination for the Dog and Cat Management Board.

DA/CEO/R3

NOMINATION DOG AND CAT MANAGEMENT BOARD

Cr Davey moved Cr Brundell seconded

That Council nominate Councillor Jeff Cook for the Dog and Cat Management Board prior to the 14th March 2014.

CARRIED 029/2014 (12/02/2014)

5.45pm Cr Cook returned to the Chamber and joined the meeting.

6.2 CORPORATE AND COMMUNITY SERVICES – DEBATE

DA/CCS/R1

FINANCIAL REPORT 31st JANUARY 2014

Cr Brundell moved Cr Davey seconded

That Council receive the financial report as at 31st January 2014.

CARRIED 030/2014 (12/02/2014)

DA/CCS/R2

MINLATON SKATE PARK

Cr Davey moved Cr Sendy seconded

That Council provide project management for the Minlaton Skate Park project and authorise the Director Corporate and Community Services to respond, in writing, on behalf of Council.

CARRIED 031/2014 (12/02/2014)

DA/CCS/R3

FOUL BAY AREA PROGRESS ASSOCIATION INC.

Cr Bowman moved Cr Butler seconded

That Council formally endorse an extension to 1st September 2014 for the Foul Bay Area Progress Association Inc. to apply for payment of funds from their 2012/2013 Community Grant.

CARRIED 032/2014 (12/02/2014)

DA/CCS/R4

2014/2015 ANNUAL BUSINESS PLAN AND BUDGET PREPARATION TIMETABLE

Cr Rich moved Cr Davey seconded

Council adopt the attached 2014/2015 Annual Business Plan and Budget Preparation Program.

CARRIED 033/2014 (12/02/2014)

6.4 DEVELOPMENT SERVICES – DEBATE

DA/DS/R1

ACCESS ADVISORY COMMITTEE MEETING MINUTES

Cr Sendy moved Cr Schell seconded

That Council:

1. receive the Minutes of the Access Advisory Committee held on 24 January 2014.
2. endorse the recommendations by the Access Advisory Committee.

CARRIED 034/2014 (12/02/2014)

DA/DS/R2

EXTENSION TO THE PORT VINCENT DRY AREA

Cr Nicholls moved Cr Rich seconded

That Council makes an application to the Liquor and Gambling Commissioner requesting the dry area at Port Vincent be extended indefinitely in its current format.

CARRIED 035/2014 (12/02/2014)

DA/DS/R3

REDUCTION OF BANK GUARANTEE

Cr Davey moved Cr Butler seconded

In recognition of the work undertaken on site at Section 285 in the Hundred of Tiparra, Council agrees to a reduction in the Bank Guarantee No. 132462 from \$300,000 to \$200,000.

CARRIED 036/2014 (12/02/2014)

ITEM 7 GENERAL BUSINESS

Cr Rich

Advised that he was travelling overseas again shortly and requested a leave of absence and he will miss one Council meeting.

Cr Sendy

Requested a leave of absence from Council for the next eight (8) weeks.

Cr Bowman moved Cr Nicholls seconded

That Council grant a leave of absence for both Cr Rich and Cr Sendy for the time requested.

CARRIED 037/2014 (12/02/2014)

Cr Davey

Requested that all correspondence and documentation that includes the Council Logo should also include the tag line.

He also noted the Safework SA inspection report and comments and congratulated all staff involved.

Cr Sendy

Advised Elected Members that the Edithburgh Progress Association at their last meeting had pledged \$10,000 per year towards ongoing maintenance of the Edithburgh Swimming Pool. Two local boys who have begun State Sports have been granted \$1,000 each by the Progress Association.

Cr Stock

Advised Elected Members that "she was pleased to be here and looking forward to working with other Elected Members and hopefully together we can achieve some great things".

5.55pm The Mayor declared the meeting closed.

ITEM 9 NEXT COUNCIL MEETING

Wednesday 12th March 2014 commencing at 5.30pm.

ITEM 10 CLOSURE

The Meeting Closed at 5.55pm.

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**Mayor Ray Agnew
12th March 2014**



Agriculturally rich – naturally beautiful

The District Council of Yorke Peninsula
**Minutes of the Confidential Meeting of the
District Council of Yorke Peninsula**

RELEASED TO THE PUBLIC RECORD

held on Wednesday 13th February 2013
in the Council Chambers
57 Main Street Minlaton commencing at 5.58 pm

(Subject to confirmation)

PRESENT

Mayor Ray Agnew OAM, Deputy Mayor Brenda Bowman, Councillors Jeff Cook, Dean Butler, Barry Schell, David Langford, Bob Nicholls, John Rich, Simon Greenslade and Veronica Brundell.

IN ATTENDANCE

Andrew Cameron	Chief Executive Officer
Roger Brooks	Director Development Services
David Harding	Acting Director Corporate and Community Services
Stephen Goldsworthy	Acting Director Assets and Infrastructure Services
Jackie Reddaway	Minute Secretary

LEAVE OF ABSENCE

Cr John Sendy

APOLOGIES

Cr Trevor Davey

ITEM 8 – CONFIDENTIAL

CA/CEO/R1

BLACK POINT BOAT RAMP TENDER

Cr Nicholls moved Cr Rich seconded

That Council:

1. receive the Tender Evaluation Report for Black Point Boat Ramp upgrade;

2. appoint Maritime Constructions Pty Ltd subject to Council receiving full development approval and a minimum of 50% funding from SABFAC;
3. Authorise the Chief Executive Officer to lodge a full 2nd stage application to SABFAC for a minimum of 50% funding for the project.

CARRIED UNANIMOUSLY 034/2013 (13/02/2013)

Cr Langford moved Cr Bowman seconded

That the meeting move out of in camera mode and return to the public meeting.

CARRIED 035/2013 (13/02/2013)

6.01pm There being no further business Mayor Agnew declared the confidential meeting closed.



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Mayor Ray Agnew
13th March 2013

CHIEF EXECUTIVE OFFICER

ITEM 8 – CONFIDENTIAL

BLACK POINT BOAT RAMP TENDER (File Ref: 9.24.1.1)

INTRODUCTION

To update Elected Members on the process for the upgrade of the Black Point Boat Ramp and seek endorsement from Council for the tender to be awarded subject to conditions.

RECOMMENDATION

That Council:

1. receive the Tender Evaluation Report for Black Point Boat Ramp upgrade;
2. appoint Maritime Constructions Pty Ltd subject to Council receiving full development approval and a minimum of 50% funding from SABFAC;
3. Authorise the Chief Executive Officer to lodge a full 2nd stage application to SABFAC for a minimum of 50% funding for the project.

COMMENT

Council agreed at the 11th April 2012 meeting to:

1. *endorse the second stage funding application to the South Australian Boating Facility Advisory Committee (SABFAC), and*
2. *include the Black Point boat ramp facility renewal and upgrade in the 2012/13 and 2013/14 Capital Works Budget.*

Late last year a tender process was implemented seeking suitably qualified construction companies to undertake the upgrade of the Black Point Boat Ramp in accordance with the concept plan developed by Coppock and Associates. A copy of the Tender Evaluation Report has been provided under separate cover.

This upgrade project is subject to a minimum of 50% funding being available via SABFAC and development approval being granted.

Following an extensive Registration of Interest process, invitations to tender were issued on 20th November 2012 to the following contractors:

- McMahon Services Australia Pty Ltd
- Maritime Constructions Pty Ltd

Tenders were received by Council at the Maitland Office.

Both companies submitted their tender by the closing date, tenders were opened and recorded by myself and Graeme Coppock (Project Manager).

The tender schedules obtained critical information in relation to the following:

- Schedule A: Current and proposed workload and proposed resources
- Schedule B: Task appreciation and methodology to undertake the works
- Schedule C: Insurances and security
- Schedule D: Contract price

Maritime Constructions Pty Ltd have been selected as the preferred applicant by both myself and Graeme Coppock (Project Manager) and now I seek Council's approval to award the tender subject to the following conditions:

1. That a minimum of 50% funding is made available by SABFAC and;
2. Development approval for the upgrade is granted.

LEGISLATION/POLICY/COUNCIL STRATEGIC PLAN

Local Government Act 1999.

PO 080 Tender and Quotations policy.

Strategic Plan

Key Theme 1: Sustainable Infrastructure

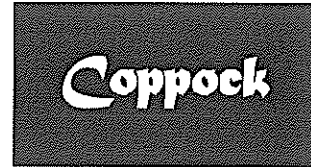
Objective 1.1: Provide infrastructure assets that are sustainable and safe.

FINANCIAL AND RISK MANAGEMENT CONSIDERATIONS

Council will be responsible for 50% of the construction costs and this has been included in the capital works budgets for 2012/13 and 2013/14 and is estimated at \$700,000.

The Project budget is currently tracking at approximately \$686,000 which includes design development, construction, project management and a 10% allowance for contingencies.

A fully designed and developed Tender Process minimising Council's exposure (excepting unknown latent conditions which should be minimal) and officers are confident that the Project will be delivered under budget pending SABFAC funding.



BLACK POINT LAUNCHING RAMP

TENDER EVALUATION REPORT - HEAD CONTRACT

DRAFT

Prepared for:

DISTRICT COUNCIL OF YORKE PENINSULA
PO Box 88
Minlaton SA 5575

Prepared by:

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Date: 25 January 2013
Document No: CA11-011-REP-002, Revision 0

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Limitations Statement

The sole purpose of this report and the associated services performed by Coppock & Associates Pty Ltd ("the Company") is to prepare an evaluation report on the tenders received for the construction of the new Black Point launching ramp in accordance with the scope of services set out in the contract between the Company and the District Council of Yorke Peninsula ("the Client"). That scope of services was defined by the requests of the Client, by the time and budgetary constraints imposed by the Client.

In preparing this report, the Company has relied upon and presumed accurate the information (or absence thereof) provided by the respondents, the Client and others identified herein. Except as otherwise stated in the report, the Company has not attempted to verify the accuracy or completeness of any such information.

No warranty or guarantee, whether express or implied, is made with respect to the data reported or to the findings, observations and conclusions expressed in this report. Further, such data, findings, observations and conclusions are based solely upon information provided by the respondents and the Client in existence at the time of the preparation of this report.

This report has been prepared on behalf of and for the exclusive use of the Client, and is subject to and issued in connection with the provisions of the agreement between the Company and the Client.

The Company accepts no liability or responsibility whatsoever for or in respect of any use of or reliance upon this report by any third party.

Revision History

Revision	Date	Comment	Approved by
A	24/01/13	Issue for TEB review	G J Coppock
0	25/01/13	Issue for Council approval & contract formation	G J Coppock

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COMMERCIAL IN CONFIDENCE

Black Point Launching Ramp

1. Background

The existing launching facilities at Black Point on Yorke Peninsula, approximately 20 kilometres from the regional centre of Ardrossan is considered to be unsatisfactory and which subject to Development Assessment Committee approval, and funding allocation by the South Australian Boating Facility Advisory Committee is to be demolished and new facilities provided.

The facilities provided are assessed in the Yorke Peninsula Recreational Boating Strategy Plan as an existing Category 1 facility with priority allocated for the upgrading of facilities including widening of the ramp, incorporation of a turning area at the head of the ramp and improvements to the access roadway.

Stage 1 approval for the upgrading of facilities has been granted by the South Australian Boating Facility Advisory Committee and Stage 2 approval in conjunction with Development Assessment Committee approval is presently being sought.

The redevelopment is proposed to comprise the following work elements:

- Demolition of the existing launching ramp
- Salvaging of existing foreshore revetment protection for reuse in the new development
- Provision of a new dual lane ramp
- Provision of a turning area at the head of the ramp to enable safe vehicle/ trailer manoeuvring
- Provision of improved foreshore protection revetments
- Widening of the single lane access road to a straight, dual lane configuration
- Inclusion of a new stepped walkway from the existing upper car/ trailer park to the new manoeuvring area at the head of the ramp, with stepped walkways to either side for pedestrian access to the beach

The District Council of Yorke Peninsula (Council) intends to procure the works described herein utilising the Australian Standard AS2124-1992; General Conditions of Contract following a two stage procurement strategy comprising:

- Stage 1: Invitation to register interest
- Stage 2: Request for tender on a lump sum contract basis.

The redevelopment is to be commenced early in April 2013 with completion proposed for mid-July 2013.

This Evaluation Report is for Stage 2 of the procurement strategy.

COMMERCIAL IN CONFIDENCE

2. Invitation to tender

Following an extensive Registration of Interest process (refer Coppock & Associates report CA11-011-REP-001 dated 17 October 2012), invitations to tender were issued on 20 November 2012 to the following contractors:

- McMahon Services Australia Pty Ltd
- Maritime Constructions Pty Ltd

Registrations were to be received by Council at the Maitland office by no later than 10.00 AM, 18 December 2012.

3. Addenda to tender

Two (2) addenda were issued during the tender period as:

- Addendum 1, dated 17 December 2012: Extension of time for tender close; and
- Addendum 2, dated 18 December 2012: Design levels to head of crib walling.

4. Receipt of tenders

At the close of the tender period, registrations were received from:

- McMahon Services Australia Pty Ltd
- Maritime Constructions Pty Ltd

Registrations were opened and recorded by representatives of Council and Coppock & Associates, as Project Manager.

5. Tender schedules

The tender schedules sought to obtain critical information in relation to the capability of tenderers to successfully manage and deliver the project utilising AS2124 – 1992 as the form of contract.

The schedules sought information on the following

- Schedule A: Current and proposed workload and proposed resources
- Schedule B: Task appreciation and methodology to undertake the works
- Schedule C: Insurances and security
- Schedule D: Contract price.

COMMERCIAL IN CONFIDENCE

6. Detailed evaluation of tenders – Capability

The detailed evaluation of each tender submission, as received in turn, follows:

McMahon Services Australia Pty Ltd

The submission received from McMahon Services was compliant in all aspects with all schedules completed. Detailed comments made include:

Schedule A Current Workload	Current workload presented a broad and diverse project range in the civil sector which demonstrates the breadth of the company's abilities. Several projects were noted of a similar nature being road works and detailed excavation to this project. Completion dates of current workload do not present over commitment to prevent undertaking of this project.
Schedule A Proposed resources	The submission identified the Divisional Lead, Project and Operations Managers, Site Supervisor and HSE Manager. The on-site personnel, Claude Scalzi and Darin Williams are assessed as not having appropriate experience in civil and maritime construction. The submission identifies the concrete and crib-walling sub-contractors but does not identify other supporting resources.
Schedule B Task appreciation	The submission clearly demonstrates a good understanding of the project and the numerous issues relating to the works covering environmental protection and compliance and community communications. The outline Site Management Plan and Commissioning and Handover Plan provide good detail for management of the project and commentary on the processes and identifies probable risks for which mitigating actions are to be applied.
Schedule C Security and insurance	Certificates of currency of insurances were provided with the values of insurances considered acceptable
Schedule D	Refer Section 7

In summary, the assessment concluded that the submission offered by McMahon Services was sound and offered a good understanding of the project and the role of the Contractor but the lack of civil and maritime construction experience by the nominated site personnel is of concern and devalues the value of the submission to a point that is considered to present an unacceptable risk to the success of the project.

Maritime Constructions Pty Ltd

The submission received from Maritime Constructions was compliant in all aspects with all schedules completed. Detailed comments made included:

Schedule A Current Workload	Current workload presented a diverse project range with some work of a similar scope and nature to the Black Point project; the diverse range of projects reflecting the breadth of company abilities. Completion dates for projects do not suggest over commitment such as to prevent the undertaking of this project.
Schedule A Proposed resources	The submission fully identified the construction team consisting of Richard Shipton as Corporate Manager, Shane Walker as Construction Manager and Matt Haskett as Project Site manager. Each of these gentlemen have significant experience in foreshore remediation and construction and display qualifications and competencies suited for the

Coppock & Associates

Project Management & Specialised Services

COMMERCIAL IN CONFIDENCE

proposed works. Maritime Construction have also proposed that the civil elements of the work be undertaken by MPS Constructions have provided the capability statement from that sub-contractor in support of their submission.

Schedule B Task appreciation	The Project Management Plan provided with the tender submission provides a good understanding of the scope of the works and the management methodology to provide on-site controls of time, cost and quality. Environment protection is to be managed at head contract and sub-contract levels with project specific construction environmental management plans to be prepared. Outline plans are included in the tender submission.
Schedule C Security and insurance	Certificates of currency of insurances were provided with the ROI and remain in currency and the levels of insurance considered appropriate for the nature of the works.
Schedule D Cost	Refer section 7

In summary, the assessment concluded that the tender submission offered by Maritime Construction was generally sound and offered a good understanding of the project and the role of the Contractor. The submission presents a low risk to Council with a good probability of success.

7. Detailed evaluation of tenders – Cost

Following in summary form is the comparison to the approved Pre-Tender estimate of the cost of the works including design and management fees and charges.

Description	Pre-Tender Estimate	McMahon Services	Maritime Constructions
Contractor Preliminaries	\$63,369	\$87,885	\$70,280
Site establishment	Included above	\$37,734	\$58,700
Demolition	\$9,950	\$10,956	\$24,800
Bulk earthworks	\$89,440	\$116,567	\$134,600
Crib walling	\$114,755	\$196,791	\$26,500
Pavements	Included above	\$100,794	\$72,600
Stairs & landings	\$65,750	\$60,896	\$39,500
Foreshore protection	\$101,200	\$99,683	\$52,800
Boat ramp	\$169,941	\$87,519	\$74,500
Contingency	\$61,441	Included above	Included above
Total cost of construction (ex GST)	\$675,846	\$798,825	\$554,280
Fees and charges	\$77,940	\$77,940	\$77,940
Total cost (ex GST)	\$753,786	\$876,765	\$632,220

COMMERCIAL IN CONFIDENCE

Alternative tender submission

McMahon Services Australia provided an alternative tender submission being the reuse of materials from demolition within the new works. This alternative offered savings of \$24,220, ex GST, resulting in a revised tender sum of \$774,605 ex GST.

8. Recommendation

Based upon the assessment and valuation undertaken, it is the recommendation of the Tender Evaluation Panel that Maritime Constructions be awarded the contract for the construction of the works in the fixed lump sum contract value of \$554,290.00, ex GST, subject to:

- Granting of Development Approval by the Development Assessment Committee
- Approval by the Minister for Transport & Infrastructure for shared funding of the project cost as recommended by the South Australian Boating Facility Advisory Committee
- Approval of the project and associated shared funding by the elected members of the District Council of Yorke Peninsula.

9. Application for funding

In consideration of the current funding model applied by the South Australian Boating Facility Advisory Committee being 50% of the total cost of the works including design and management services, following is the total estimated cost of the works including a contingency allowance for latent conditions and variations as may be claimed comparison to the approved Pre-Tender estimate of the cost of the works including design and management fees and charges.

Description	Cost
Predesign activity (Coppock)	\$3,600
Design fees (Magryn)	\$24,500
Survey fees (SRC)	\$2,400
Design management (Coppock)	\$16,500
Delivery management (Coppock)	\$29,250
Construction (Maritime)	\$554,280
Variation contingency allowance (10%)	\$55,428
Total cost of works (ex GST)	\$685,958
Funding allocation by DCYP	\$342,979
Funding allocation by SABFAC	\$342,979