

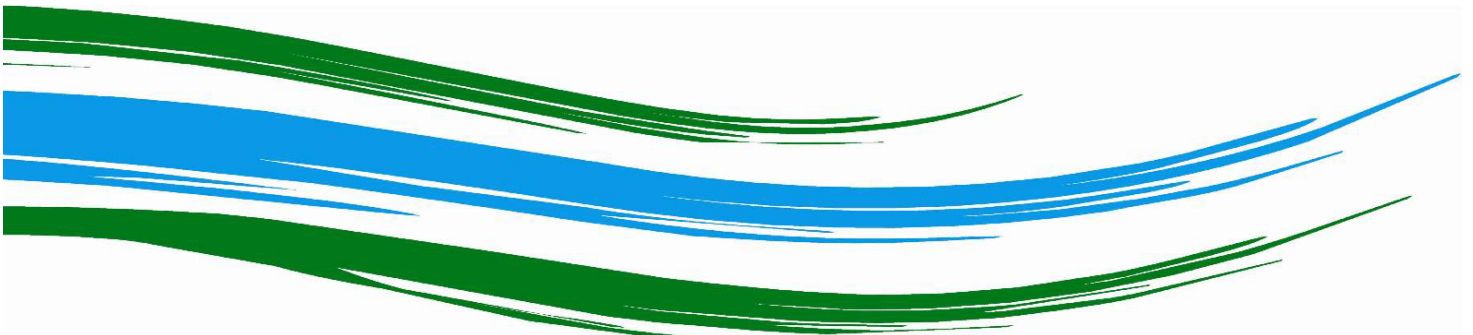


Camden Council

Minutes

Extraordinary Council Meeting
2 March 2010

Camden Civic Centre
Oxley Street
Camden



EXTRAORDINARY COUNCIL

SUBJECT: APOLOGIES
FROM:
FILE NO:

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

RECOMMENDED

That leave of absence be granted.

RESOLUTION

There were no leave of absence to be granted.

THE MOTION ON BEING PUT WAS **CARRIED**.

EX05/10

ACTIONS

EXTRAORDINARY COUNCIL

SUBJECT: DECLARATION OF INTEREST
FROM:
FILE NO:

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 7.5 -7.27).

Councillors should be familiar with the disclosure provisions contained in the Local Government Act 1993, Environmental Planning and Assessment Act, 1979 and 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.

RESOLUTION

There were no declarations to be noted.

THE MOTION ON BEING PUT WAS **CARRIED**.

EX06/10

ACTIONS

EXTRAORDINARY COUNCIL

SUBJECT: PUBLIC ADDRESSES
FROM:
FILE NO:

The Public Address segment (incorporating Public Question Time) in the Council Meeting provides an opportunity for people to speak publicly on any item on Council's Business Paper agenda or on any matter within the Local Government area which falls within Council jurisdiction.

Speakers must book in with the Council office by 4.00pm on the day of the meeting and must advise the topic being raised. Only seven (7) speakers can be heard at any meeting. A limitation of one (1) speaker for and one (1) speaker against on each item is in place. Additional speakers, either for or against, will be identified as 'tentative speakers' and should only be considered where the total number of speakers does not exceed seven (7) at any given meeting.

Where a member of the public raises a question during the Public Address segment, 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 (1) question per speaker per meeting.

All speakers are limited to 4 minutes, with a 1 minute warning given to speakers prior to the 4 minute time period elapsing.

Public Addresses are tape 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. A copy of the tape recording may be available to third parties (in certain circumstances).

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.

RECOMMENDED

That the public addresses be noted.

RESOLUTION

There were no public addresses to be noted.

THE MOTION ON BEING PUT WAS **CARRIED**.

EX07/10

ACTIONS

EXTRAORDINARY COUNCIL

EX01

SUBJECT: TENDER 2009/13 - CONSTRUCTION OF CAMDEN POOL
REDEVELOPMENT
FROM: Director Works and Services
FILE NO: Capital Works/Council Properties/Capital Works/Camden Pool/Camden
Pool Redevelopment Construction

PURPOSE

To provide details of the Tenders received for contract 2009/13, being the construction of Camden Pool Redevelopment at Camden, and to recommend that Council accept the Tender submitted by Kane Constructions (NSW) Pty Ltd.

BACKGROUND

On 10 June 2008 Council resolved to accept a \$5 million grant from the Australian Government for redevelopment of Camden Pool. Council also authorised the General Manager to negotiate a suitable funding agreement which would enable further assessment of the project priorities and the operational viability of the centre, or alternate actions, based on the revised project scope and life cycle costs.

On 11 November 2008 a report was provided to Council seeking endorsement of the general project scope for redevelopment of Camden Pool for inclusion in the funding agreement with the Department of Health and Aging (DHA). This report outlined the estimated operating and capital costs as well as general advantages and disadvantages of both the 25m indoor and 50m outdoor centre options being considered at the time. Council resolved "to endorse the general project scope proposed for redevelopment of Camden Pool as an outdoor facility which includes an 8 lane 50m or 52m heated competition pool, children's leisure pool, improvements to existing amenities with improved access and landscaping, in order that this scope be confirmed to the Federal Government to progress acquisition of the grant".

Following completion of the project brief a Funding Agreement was finalised with DHA on 17 June 2009.

On the 24 March 2009 Council approved the engagement of Lippmann Partnership Pty Ltd to undertake the design contract for the Redevelopment of Camden Pool.

Design plans were exhibited for comment between the 14 October 2009 and 27 October 2009. One comment was raised regarding the construction of the 50m pool which was taken up with the respondent to their satisfaction.

Early in the design process Environmentally Sustainable Design inclusions were considered in the project scope. A number of these options had significant up front capital costs with long pay back periods, particularly given the centre operates as a six month seasonal facility. Recycled water tanks have been included as an affordable investment to assist with water savings.

Estimated operating costs associated with heating

Consideration has been given to changes in operating costs should heating be provided.

The table below shows the estimated difference between operating costs when heating is utilised compared to the current arrangement without heating.

50 Metre Outdoor Pool

Income	Peak Season Summer 6 months	Peak Season Summer 6 months	Mid Season Spring/Autumn 3 months	Low Season Winter 3 months
	Unheated	Heated	Heated	Heated
Casual Swim	\$28,254	\$31,080	\$12,714	\$7,770
School carnivals	\$23,154	\$23,154	\$0	\$0
LTS – Programs	\$51,000	\$56,100	\$16,830	\$0
Squad (CASC)	\$15,000	\$16,500	\$4,125	\$4,125
Café/Other	\$25,000	\$27,500	\$11,000	\$6,250
TOTAL INCOME	\$142,408	\$154,334	\$44,669	\$18,145
Expenditure	Peak Season Summer 6 months	Peak Season Summer 6 months	Mid Season Spring/Autumn 3 months	Low Season Winter 3 months
Management/Admin Costs	\$102,375	\$102,375	\$51,187	\$51,187
Staffing	\$65,000	\$65,000	\$32,500	\$22,750
Opts/Maintenance	\$50,000	\$55,000	\$30,000	\$35,000
Utilities	\$35,000	\$55,000	\$56,000	\$88,500
Café/Other	\$13,000	\$13,000	\$5,850	\$5,850
TOTAL EXP'T	\$265,375	\$290,375	\$175,537	\$203,287
SEASONAL NET RESULT	(\$122,967)	(\$136,041)	(\$130,868)	(\$185,142)
CUMULATIVE NET RESULT	(\$122,967)	(\$136,041)	(\$266,909)	(\$452,051)

MAIN REPORT

Invitation to Tender

A requirement of the Funding Agreement with the Federal Government was that all head construction contractors must be accredited under the Australian Government OHS Accreditation Scheme. In order to ensure that Council satisfied this requirement,

an expression of interest was advertised in the local and Sydney papers for companies with accreditation to submit an expression of interest.

Eleven submissions were received. Nine companies were selected to tender for the project.

The tender for construction of Camden Pool Redevelopment was issued to the nine selected Tenderers in December 2009 and closed on 4 February 2010. One Tenderer withdrew from the process in December 2009.

Tenderers were asked to provide a lump sum for the proposed works. In addition, the tenderers were requested to include heat pumps as a separable portion of the works.

Tender Submissions

Tenders were received from the following companies:

Name of Tenderer

1)	Kane Constructions (NSW) Pty Ltd	Waterloo NSW
2)	ADCO Constructions Pty Ltd	North Sydney NSW
3)	Buildcorp Contracting NSW Pty Ltd	Camperdown NSW
4)	Brisland Pty Ltd	Glebe NSW
5)	Hooker Cockram NSW Pty Ltd	St Leonards NSW
6)	National Buildplan Pty Ltd	North Sydney NSW
7)	ABA Construction Managers Pty Ltd	Fyshwick ACT
8)	Proline Building Commercial Pty Ltd	Mortlake NSW

A summary of the tender pricing is contained in the Supporting Document.

Tender Evaluation

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.

A tender evaluation panel was established and the submissions were assessed on price and non-price factors as agreed by the evaluation panel. Price was given a weighting of 65% and non-price factors a weighting of 35%.

Non price factors considered for this project were:

- Proposed Team and Project Approach
- Program
- Builder Experience and satisfaction of previous clients.

Kane Constructions NSW Pty Ltd has provided the most competitive tender as well as meeting all requirements of Council's tender documentation. Past clients were contacted and gave positive feedback for Kane Constructions Pty Ltd. Kane Constructions has a proven track record in delivering projects of a similar scale and nature.

The panel members all agreed that the tender by Kane Construction represented the best value to Council.

Project Budget

Total Project Funds	\$5,000,000
Less	
Current commitments	\$ 371,382
Allowance for other works/equipment outside this contract	\$ 150,000
Allowance for Public Art	\$ 50,000

Funds available for the proposed contract works	\$4,428,618

Sufficient funds are available within the budget to accept the tendered price of Kane Constructions Pty Ltd inclusive of heat pumps and supporting infrastructure.

Relevant Legislation

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

Critical Dates / Time Frames

Camden Pool will close to the public on the 8 March 2010. A minimum of one week will be provided after closure of the pool for operational staff to decommission the site and remove all loose items from site.

Works will begin onsite after the completion of Camden Show on Monday 22 March 2010. The proposed program provided by Kane Construction will see the pool open in December 2010.

Redevelopment Opening Times

The current budget accepted by Council for exhibition reflects operation of Camden Pool for a period of approximately six months - the current season length.

While the inclusion of heat pumps could allow for extension of this season, it is proposed that the Camden Pool continue to operate for the same six month period as currently applies.

Any extension of the season in the future would need to be assessed in the context of annual budget considerations and would involve a significant additional subsidy of the Camden Pool's operations from general revenue.

RECOMMENDED

That:

- i. Council accept the construction tender provided by Kane Constructions (NSW) Pty Ltd;**
- ii. authority be granted for the relevant documentation to be completed under the seal of Council; and**

- iii. upon the re-opening of Camden Pool, the existing 6 month swimming season be continued.

ATTACHMENTS

SUPPORTING DOCUMENT



Camden Pool Redevelopment - Tender Prices.pdf

RESOLUTION

Moved Councillor Funnell, Seconded Councillor Symkowiak that:

- i. Council accept the construction tender provided by Kane Constructions Pty Ltd;
- ii. authority be granted for the relevant documentation to be completed under the seal of Council; and
- iii. upon the re-opening of Camden Pool, the existing 6 month swimming season be continued.

THE MOTION ON BEING PUT WAS **CARRIED**.

(Councillors Patterson, Anderson, Campbell, Cagney, Cottrell, Dewbery, Funnell, Symkowiak and Warren voted for the Motion).

EX08/10

ACTIONS