

SPECIAL COUNCIL MEETING AGENDA – 29 NOVEMBER 2011

Mission Statement:

***To support and develop a sustainable, thriving and resilient Community
through leadership and partnership.***

TO BE HELD: Tuesday 29 November 2011 at 4pm

LOCATION: Yackandandah Sports Park, Wellsford Street, Yackandandah

REQUIRED TO ATTEND:

Councillors:	Senior Management/Officers
Ali Pockley – Mayor	Brendan McGrath – CEO
Bernard Gaffney – Deputy Mayor	Mark Florence
Peter Croucher	Greg Pinkerton
Larry Goldsworthy	Andre Kompler
Vic Issell	SMG as required
Barbara Murdoch	
Peter Graham	

APOLOGIES:

Vision Statement:

INDIGO – A great place to live, work and visit.

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1.0 WELCOME – BRENDAN MCGRATH

2.0 ELECTION OF TEMPORARY CHAIRPERSON

Local Law No 3 Cl 3.1 makes provision for the election of a temporary chairperson to govern the proceedings of the Special Meeting. The Chief Executive Officer will act as the first temporary Chairman and will convene the election of a second temporary chairperson.

For Decision

RECOMMENDATION

That Council elect Cr (to be inserted) to the position of second temporary Chairperson.

3.0 OPENING PRAYER & ACKNOWLEDGEMENT OF THE TRADITIONAL OWNERS OF THE LAND

4.0 APOLOGIES AND LEAVE OF ABSENCE

5.0 DECLARATION OF CONFLICT OF INTEREST

6.0 2011 MAYORAL REPORT – CR ALI POCKLEY (MAYOR 2010/2011)

7.0 ELECTION OF MAYOR (S71 LGA 1989)

For Decision

RECOMMENDATION

That Council determine the term of Mayor as one or two years

b) Election of Mayor

**Pursuant to Section 71 (1) of the Local Government Act 1989,
That Council elect a Councillor as Mayor.**

For Decision

RECOMMENDATION

That Council elect Cr (to be inserted) to the position of Mayor.

The Mayor then takes chair of the meeting.

Section 71. Election of Mayor

- (1) At a meeting of the Council that is open to the public, the Councillors must elect a Councillor to be the Mayor of the Council
- (2) Before a Mayor is elected under this section, the Council may resolve to elect a Mayor for a term of 2 years
- (3) The Mayor is to be elected -
 - (a) after the last Saturday in November but not later than 31 December in each year; or
 - (ab) if under subsection (2), the Mayor is elected for a term of 2 years, the next election of Mayor is 2 years after the last Saturday in November but not later than 31 December in the second year after the election; or
 - (b) as soon as possible after any vacancy in the office of Mayor occurs
- (4) The election of a Mayor after the period specified in this section does not invalidate the election
- * * * * *
- (6) The Mayor of a Shire Council may be titled the President
- (7) Any reference to *Mayor* includes a reference to *Lord Mayor* or *President* as the case may be Indigo Shire Council Local Law No 3 governs the election of the Mayor

It would be appropriate that the Mayor be elected at this time.

8.0 ELECTION OF DEPUTY MAYOR

For Decision

RECOMMENDATION

That Council elect Cr (to be inserted) to the position of Deputy Mayor.

Indigo Shire Council Local Law No. 3 provides that any Councillor may be elected as Deputy Mayor. Local Law 3 Meeting Procedure Division 3 details the process for the election of Mayor and Deputy Mayor.

9.0 APPOINTMENTS TO REGIONAL AND STATE BODIES

For Decision

RECOMMENDATION

That Council elect the representatives to Regional and State Bodies in the table below.

The Council makes a series of appointments to Regional and State Bodies as detailed below. Councillors also sit on other State Bodies as individuals, but usually receive Council endorsement.

It would be appropriate that Council representatives to these bodies be appointed.

Regional / State Body	Current Representatives	Proposed 2011/12 Representatives
Lake Hume Recreational Co-ordinating Committee	Cr Croucher CEO (sub)	Cr Croucher CEO (sub)
Municipal Association of Victoria	Cr Goldsworthy Mayor (sub)	Cr Goldsworthy Mayor (sub)
Municipal Association of Victoria Professional Development Committee	Cr Murdoch	Cr Murdoch
Municipal Association of Victoria Waste Reference Group	Cr Graham	N/A
Municipal Association of Victoria Environmental Advisory Committee	Cr Murdoch Cr Pockley	N/A
Timber Towns	Cr Goldsworthy Operations Manager	Cr Goldsworthy Operations Manager
Murray Arts	Cr Issell Cr Pockley (sub)	Cr Issell Cr Pockley (sub)
Murray to Mountains Rail Trail Management Committee	Cr Issell Cr Murdoch (sub) Manager Tourism	Cr Issell Cr Murdoch (sub) Manager Tourism
Murray to Mountain Cycle Tourism Committee	Cr Issell Cr Murdoch (sub) Manager Tourism	Cr Issell Cr Murdoch (sub) Manager Tourism
North East Community Road Safety Council	Cr Graham Cr Goldsworthy (sub)	N/A
North East Regional Youth Affairs Network – Youth Officer representation only	Cr Gaffney (Observer) Youth Development Officer	Cr Gaffney (Observer) Youth Development Officer
North East Victorian Waste Management Group	Cr Graham Cr Murdoch (sub)	Cr Graham Cr Murdoch (sub)
North East Water Yackandandah Community Advisory Group	Cr Pockley	Cr Pockley
North East Mayors & CEO's Forum	Mayor CEO	Mayor CEO



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Rural Councils Network (State wide – Mayors & CEO's)	Mayor CEO	Mayor CEO
Upper Murray Regional Library Group	Cr Croucher Cr Murdoch (sub)	Cr Croucher Cr Murdoch (sub)
Australian Local Government Women's Association Victoria Branch	Cr Murdoch Cr Pockley	Cr Murdoch Cr Pockley
ACSUM (Alliance of Shires & Councils of the Upper Murray)	Cr Issell Cr Murdoch	Cr Issell Cr Murdoch
North East Multicultural Committee	Cr Croucher	Cr Issell
Hume to Yarrawonga Waterway Management Advisory Group	Cr Croucher Cr Murdoch (sub)	Cr Croucher Cr Murdoch (sub)

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10.0 STATUTORY ADVISORY COMMITTEE – SECTION 139 OF THE LOCAL GOVERNMENT ACT

For Decision

RECOMMENDATION

That Council elect the representatives to Statutory Advisory Committee in the table below.

AUDIT COMMITTEE		
Statutory Advisory Committee	Current Representatives	Proposed 2011/12 Representatives
2 Councillors	Cr Murdoch Cr Gaffney Cr Pockley (sub)	Cr Murdoch Cr Gaffney Cr Pockley (sub)
Council Officer Contact	Manager Governance & Risk	Manager Governance & Risk
3 Independent Persons	K Baumgartel F Burfitt I Morris	K Baumgartel I Morris F Burfitt (term will end in April 2012. Expressions of interest will be sent out shortly)
1 Advisor	Alison Lee (WHK) Brad Bohun (WHK)	Brad Bohun (WHK) Alison Lee (WHK) (WHK's contract ends in April 2012 this will go out to tender later this year)

11.0 OTHER COUNCIL COMMITTEES

For Decision

RECOMMENDATION

That Council elect the representatives to Other Council Committees in the table below.

Committee	Current Representatives	Proposed 2011/12 Representatives
Municipal Fire Prevention Committee – (CFA Act)	Cr Goldsworthy Cr Gaffney (sub) GMMP&P	Cr Goldsworthy Cr Gaffney (sub) Municipal Fire Prevention Officer
Municipal Emergency Management Planning Committee (Section 21 (3) and (4) Emergency Act)	Cr Goldsworthy Cr Issell (sub) GMMP&P	Cr Goldsworthy Cr Gaffney Municipal Fire Prevention Officer
Biodiesel Community Reference Group	Cr Graham Cr Pockley (sub) GM Sustainable Communities	GM Sustainable Communities
Junior Council	Cr Croucher Cr Murdoch (sub) Cr Pockley (sub) Manager Community Planning	Cr Croucher Cr Murdoch (sub) Manager Community Planning
Integrated Fire Management Planning Committee	N/A	Cr Goldsworthy (representative of Municipal Fire Prevention Committee) Municipal Fire Prevention Officer

12.0 APPOINTMENTS TO CHIEF EXECUTIVE OFFICER PERFORMANCE PLANNING COMMITTEE

For Decision

RECOMMENDATION

That Council elect the representatives to Chief Executive Officer Performance Planning Committee in the table below.

Committee	Current Representatives	2012 Representatives
CEO Performance Planning Committee	Mayor (Chair) All Councillors	Mayor (Chair) All Councillors

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13.0 APPOINTMENTS TO ADVISORY COMMITTEES

For Decision

RECOMMENDATION

That Council elect the representatives to the Advisory Committees as detailed in the table below.

Council maintains a range of Advisory Committees comprising Councillors, industry and community representatives.

ARTS AND CULTURAL ADVISORY COMMITTEE		
Committee	Current Representatives	Proposed 2011/12 Representatives
Councillors	Cr Pockley Cr Issell	Cr Croucher Cr Issell
2 Representatives from each district		
Rutherglen/Wahgunyah		Jenny King Irena Webster
Beechworth		Pamela Thomas Bob Powter Margaret Tyrie
Yackandandah/Tangambalanga		Christine Thorpe
Indigo Shire Council Arts and Cultural Development Officer (ACDO)	ACDO	ACDO

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ENVIRONMENTAL ADVISORY COMMITTEE		
Committee	Current Representatives	Proposed 2011/12 Representatives
2 Councillors	Cr Issell Cr Pockley	Cr Issell Cr Pockley
Council Contact Officer	NRMO	
10 Community Representatives	Jan Palmer Charlie Robinson Sarah Flamstead Rik Thwaites Pheona Donaldson Barney Foran Greg Smith Jenny Indian Bernadette Cudars Matthew Charles-Jones Vacant	Community reappointments: Linda Huzzey Barney Foran Jan Palmer Bernadette Cudars Matthew Charles-Jones Rik Thwaites Jenny Indian Pheona Anderson Charlie Robinson Greg Smith New community appointments: Robin McLeish Maureen Rogers
4 LandCare Representatives	Joy Phillips Jane Roots Jennifer Davidson Graeme Missen Wendy Hutchinson Sarie Los	LandCare reappointments: Jane Roots Graeme Missen Jennifer Davidson New LandCare appointment: Klaus Baumgartel
Council Officer Contact	TM	
2 NRM Government Representatives	Sue Berwick Tim Clune	
2 Indigo Shire Senior Managers	Assets Manager Manager Sustainable Development Strategic Planner (sub)	1 x Senior Manager – Manager Planning & Sustainable Development
Indigo Shire Environmental Staff		Team Leader NRM

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INDIGO TOURISM ADVISORY COMMITTEE		
Committee	Current Representatives	Proposed 2011/12 Representatives
2 Councillors	Cr Gaffney Cr Croucher	Cr Gaffney Cr Croucher
Council Officer Contact (ex officio)	Manager Tourism	Manager Tourism
Chiltern Tourism & Development	Kevin Mayhew Emma Williams (sub)	Kevin Mayhew Joanne Smith (sub)
Yackandandah Tourism Association	Kim O'Brien Judy Davis (sub)	Kim O'Brien Judy Davis (sub)
Beechworth Chamber of Commerce	Bill Bell Jodie Goldsworthy (sub)	Jason Dawson Darren Carr (sub)
Destination Rutherglen	Peter Meade Darren Smith (sub)	Lennie Lister from Destination Rutherglen has been nominated – Yet to be confirmed. Sub also to be advised.
Three skills-based members (non voting)	Lanie Donaldson Meg Houghton Brian Millar	Lanie Donaldson Currently vacant. Being advertised Saturday 19/11 TBC

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INDIGO SHIRE DISABILITY & COMMUNITY ACCESS ADVISORY COMMITTEE			
*Note: Re-named from the Indigo Disability Advisory Committee			
Committee	Current Representatives	Committee	Proposed 2011/12 Representatives
1 Councillor	Cr Graham Cr Issell (sub)	1 Councillor	Cr Graham Cr Issell (sub)
Yackandandah	Beatrice Godward Ron Walker	1 Council Officer	
Rutherglen	Judith Harrison Robert Bourke	Indigo Shire Rural Access Officer	Indigo Shire Rural Access Officer
Chiltern	Joy Lee Alyson Lomas	6 Community Members	Linda D'Ornay (Deaf Access Coordinator Hume region) Judy Harrison Joy Lee Robert Bourke Ron Walker Angele Sliuzas
Wooragee	Suzanne Forsyth		
Beechworth	Anne Hanson		
	Pat Cowell		
Regional Representative	Loretta Caunt		
Wodonga Regional Health Service	Alys Cummings		
AAA Program Manager	Jennifer Johnston		
Deaf Access Worker	Julie Kiroloch		
Indigo North Health	Anna Hessian		
Manager Assets	Robert Uebergang		

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186 YOUTH ACTION ADVISORY COMMITTEE		
Committee	Current Representatives	Proposed 2011/12 Representatives
2 Representatives from each district		
Rutherglen/Wahgunyah	Britnie Hocking Gemma Ramsay Davee Robinette	Chris Pianto Gemma Ramsay Chris Meek Ryan Griffin
Beechworth/Stanley	Renee Howe Braydon Neilson	Eliza Robinson Sarah Robinson Renee Matthews Braydon Neilson
Yackandandah/Tangambalanga	Caitland Kerr Daniel Greene Aidan Warne	Brandon Taylor Anna Ross Josh Presnall Erin Lancaster Oliver Smith
Chiltern/Barnawartha	-	Riley Bebbington Michael Kennedy Jess Gay
Indigo Shire Council Youth Development Officer (YDO)	YDO	YDO

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FINANCE ADVISORY COMMITTEE		
Committee	Current Representatives	Proposed 2011/12 Representatives
3 Councillors	Cr Goldsworthy Cr Murdoch Cr Gaffney Cr Issell (sub)	Cr Goldsworthy Cr Murdoch Cr Gaffney Cr Issell (sub)

INDIGO SHIRE GRANTS & AWARDS ADVISORY COMMITTEE		
Committee	Current Representatives	Proposed 2011/12 Representatives
2 Councillors	Cr Gaffney Cr Croucher	Cr Gaffney Cr Croucher
Council Contact Officer	Manager Community Planning	Manager Community Planning
2 Reps from each district		
Beechworth/Wooragee	Tess Lucas Christine Luckman	Tess Lucas Christine Luckman
Chiltern/Barnawartha	Nerida Kerr Joy Lee	Nerida Kerr Joy Lee
Wahgunyah	Fred Begelhole Alan Pleitner	Fred Begelhole Alan Pleitner
Yackandandah/Kiewa/ Tangambalanga Council Officer	Kevin Cooper Shaz Phillips	Kevin Cooper Shaz Phillips
Stanley	Mike Byrne	Mike Byrne

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BURKE MUSEUM & HISTORIC PRECINCT ADVISORY COMMITTEE		
Committee	Current Representatives	Proposed 2011/12 Representatives
1 Councillor	Cr Pockley Cr Issell (sub)	Cr Pockley Cr Issell (sub)
Council Contact Officer	Manager Burke Museum & Historic Precinct	Manager Burke Museum & Historic Precinct
Four Special Interest or Skills Based Representatives	Jean McAuslan Ali Garnett John Baine	Jean McAuslan David Lawrence Carole O'Neill Jodie Goldsworthy (TBC may be a vacancy for business skills rep)
One Representative – Friends of Burke Museum	Anne Waayers	Owen Keylock
Six Community Representatives	Pam Davis-Jones Carole O'Neill Lesley Milne Rita Lazauskas David Lawrence Margaret Turner (TBC)	John Baine Pam Davis-Jones Penny Bingham 3 community vacancies
Manager Burke Museum and Precinct Manager	Grant Collie	Grant Collie
Manager Tourism	Manager Tourism	Manager Tourism

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14.0 APPOINTMENTS TO SPECIAL COMMITTEES

For Decision

RECOMMENDATION

That Council elect representatives to the Special Committees as detailed in the table below.

RUTHERGLEN WINE CENTRE BOARD SPECIAL COMMITTEE		
Committee	Current Representatives	Proposed 2011/12 Representatives
1 Councillor	Cr Gaffney Cr Croucher (sub)	Cr Gaffney Cr Croucher (sub)
Council Officer Contact	Manager Tourism	Manager Tourism
1 Winemaker of Rutherglen Inc	Mandy Jones	
5 Destination Rutherglen Inc Representatives	Marion Hansford Darren Smith Peter Meade John Lloyd Anton Therkildsen	

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LAKE SAMBELL COMMITTEE OF MANAGEMENT

Current Representatives	Proposed 2011/12 Representatives
Cr Goldsworthy Cr Issell (sub) Iris Mannik Kathryn Chivers Susan Billman Bill Van Dorsen Ted Zangerl Mick Stribley Roger Humphries John Hennessy Joan McIntosh	Cr Goldsworthy Cr Issell (sub) Iris Mannik Sven Mannik Bill Van Dorssen Ted Zangerl Roger Humphries Joan McIntosh

BEECHWORTH MEMORIAL HALL COMMITTEE OF MANAGEMENT

Current Representatives	Proposed 2011/12 Representatives
Terry Walsh (President) John Harvey Julius Holt Iris Mannik Judi Macintosh Val Pritchard	Terry Walsh (President) John Harvey Julius Holt Iris Mannik Judi Macintosh Val Pritchard Bill Wilson Colin Trinnick

BAARMUTHA PARK COMMITTEE OF MANAGEMENT

Current Representatives	Proposed 2011/12 Representatives
Cr Gaffney Cr Goldsworthy (sub) Darryl McFeeters Martin Ryan Phillip Surrey Paul Crimmins Adam Fendyk Lyn Deuis Simon Carracher George Browne (Chairperson) Steve Burnett	Cr Goldsworthy Cr Gaffney (sub) Darryl McFeeters Phillip Surrey Adam Fendyk Lyn Deuis (Community Rep) Simon Carracher George Browne (Chairperson) Steve Burnett Karen Jones Mick Westra Deb Rule (Community Rep) Harry Thomas (Community Rep)

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RUTHERGLEN GOLD BATTERY SPECIAL COMMITTEE

Committee	Current Representatives	Proposed 2011/12 Representatives
Council Representative	Cr Graham Cr Murdoch	Cr Graham Cr Murdoch
Destination Rutherglen	Georgina James	Lennie Lister
Chair	Ian Stones	Ian Stones
Deputy Chair	Barry Deas	Barry Deas
Secretary	Judy Harrison	Judy Harrison
Committee Members	Georgina James Don Chambers Alan McCluskey Gary Sanders Graeme Price	Georgina James Don Chambers Alan McCluskey Gary Sanders Graeme Price

CHILTERN COMMUNITY OFFICES COMMITTEE OF MANAGEMENT

Current Representatives	Proposed 2011/12 Representatives
Mary Anne King	Mary-Anne King
Rex Fuge	Rex Fuge
Lois Hotson	Lois Hotson
Suzanne Grant	Suzanne Grant
Vin Shelley	

CHILTERN ATHENAEUM COMMITTEE OF MANAGEMENT

Current Representatives	Proposed 2011/12 Representatives
Rex Fuge	Rex Fuge
Rhonda Summerfield	Rhonda Summerfield
Lorraine Boyle	Lorraine Boyle

CHILTERN MEMORIAL HALL COMMITTEE OF MANAGEMENT

Current Representatives	Proposed 2011/12 Representatives
Charlie Summerfield	Chris Brown
Chris Brown	Pat O'Connor
Pat O'Connor	Kevin Mayhew (Chair)
	Patrick O'Connor
	Regina Welsh
	Jeremy Zuber
	Jo Stephens

INDIGO SHIRE BEECHWORTH DISTRICT MEALS ON WHEELS VOLUNTEER DELIVERY COMMITTEE

Current Representatives	Proposed 2011/12 Representatives
Lorraine Kneebone	Lorraine Kneebone
Norah Connor	Norah Connor
Warren Murray	Warren Murray
Joan Smith-Allen	Joan Smith-Allen
Colin Jeans	Colin Jeans
Dot Jeans	Dot Jeans
Cheryl Bartold	Cheryl Bartold

STANLEY SOLDIERS MEMORIAL HALL & ATHENAEUM COMMITTEE OF MANAGEMENT

Current Representatives	Proposed 2011/12 Representatives
Steve Vandenberg	Sharon Vincent (Chair)
Chris Dormer	Chris Dormer
Bob Malone	Bob Malone
Annette Nuck	Katrina Sharp
Sharon Vincent	Lora Sharp
Joan Smith-Allen	Julie Humphries
Kay Collins	Kay Collins
Val Sinclair	
Janet Sutherland	

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WOORAGEE COMMUNITY CENTRE SPECIAL COMMITTEE

Current Representatives	Proposed 2011/12 Representatives
Ray Henderson	Ray Henderson
Mary Prowse	Mary Prowse
John Ward	John Ward
Gary Poyntz	Gary Poyntz
Lynne Williams	Lynne Williams
Pauline Carson	Pauline Carson
Bronwyn Angelini	Bronwyn Angelini
Kerrie Sutton	Kerrie Sutton
Warren La Fontaine	Warren La Fontaine
Pam Nankervis	Pam Nankervis
Tess Lucas	Tess Lucas
Anne Stelling	Anne Stelling

YACKANDANDAH PUBLIC HALL AND COURTHOUSE COMMITTEE OF MANAGEMENT

Current Representatives	Proposed 2011/12 Representatives
Stanley Sutherland	Russ Munro
Kathy Petzke	Dan Carberry
Russel Munro	Kathy Petzke
Chris Lello	Frances Dryden
Grahame Hutchings	Chris Rogers
Frances Dryden	Stan Sutherland
Dan Carberry	Chris Lello
John Clark	Grahame Hutching
Ian Brown	Ian Brown
Chris Rogers	Dianne Begnone

YACKANDANDAH SPORTS PARK COMMITTEE OF MANAGEMENT

Current Representatives	Proposed 2011/12 Representatives
Andrew Cudars	Andrew Cudars
Kevin Poyner	Geoff Manton
James Trenery	James Trenery
Les Scholz	Les Scholz
Trevor Matthews	Trevor Matthews
Geoff Simmons	Geoff Simmons
John Labran	Damian Glass
Geoff Manton	Alan Wapling
Dave McAuliffe	
Karen Hicks	

COULSTON PARK COMMITTEE OF MANAGEMENT

Current Representatives	Proposed 2011/12 Representatives
Kevin Cooper	Kevin Cooper
Damian Ley	Damian Ley
Pam Davis-Jones	Pam Davis-Jones
Steve Larkin	Steve Larkin
Ian Simmonds	Ian Simmonds
Robert Reid	Robert Reid
Dawn Cardwell	Dawn Cardwell
Greg Hunter	Greg Hunter
Roger Beale	Roger Beale
Val White	Val White

15.0 MAJOR PROJECTS AND PROGRAMS

15.1 TENDER – CHILTERN FLOOD MITIGATION WORKS – CONSTRUCTION AND ASSOCIATED WORKS

File No: 11/2864- Brad Dinsdale – Manager Projects

For Decision

RECOMMENDATION

That Council accept the Tender from Citywide Service Solutions Pty Ltd (Citywide) for Contract 11/2864 – Chiltern Flood Mitigation Works – Crawford & Kilgour Streets Channel Realignment

That Council authorise the signing and sealing of contract documents.

INTRODUCTION

During 2010-2011 summer months several localised flooding storm events caused damage throughout the township of Chiltern, highlighting the need to improve the main stormwater floodway through the north of the town.

The design work for this project was commenced in the 2010-11 financial year based on the recommendations of the 2007 Chiltern Flood Study.

Due to the scale and scope of the works contained within the design, Council was required to advertise for contractors to tender.

A tender was called, including three separable portions of the floodway:

1. Crawford & Kilgour Streets Channel Realignment
2. Channel Works - Oxford Street
3. Peake & Dickson Courts Channel

The third, downstream section was given a provisional sum of \$100,000 as the design was reliant on negotiation over land with neighbouring land owners. The tender called for fixed, lump sum prices, with a bill of quantities for specific rates.

This recommendation relates to awarding, signing and sealing contract documents for Portion 1, the Crawford and Kilgour Streets section, to Citywide.

BACKGROUND

The tender was advertised in the Border Mail, O&M Advertiser and Corowa Free Press on Saturday 8/10/2011 and Saturday 15/10/2011 and the tender registration was through the Indigo Shire website. 19 Registrations were received. Two compulsory site meetings were held at which 9 organisations attended. Three companies submitted tenders.

Tenders were received from:

Citywide Service Solutions Pty Ltd, Level 1, 150 Jolimont Road East Melbourne, VIC 3002
Northern Construction Group (Aust) Pty Ltd, 13 Reliance Court, Echuca, VIC 3564
McPhersons Earthmoving Contractors Pty Ltd, McGeehan Crs, Myrtleford VIC 3737

KEY IMPLICATIONS

- Risk Management
- To determine the best value for money, Tenders were assessed by a panel of experienced Council officers in accordance with the Indigo Shire Council Procurement Policy 2009 and Conditions of Tender.
- Tenders were assessed on price, relevant experience, alignment of tenders with project objectives and scope, mobilisation, litigious and claims risk along with evidence of sound OH&S procedures. Referees were contacted for Citywide and Northern Construction Group, and Council has recent experience with McPhersons Earthmoving.
- Value for Money in procurement is about selecting the supply of goods, services and works taking into account both cost and non-cost factors including: contributions to the advancement of the council's priorities; non-cost factors such as fitness for purpose, quality service and support; cost-related factors including whole of life costs and transaction costs associated with acquiring, using, holding, maintaining and disposing of the goods, services or works.
- The contractor is to follow OH&S requests stipulated in the contract and a Risk Assessment is required prior to commencing the work, including the development of appropriate control measures for review by the Contract Manager as per contract requirements.
- Legislative
- The tender has been conducted in accordance with requirements of Indigo Shire Council's Procurement Policy and Section 186 of the *Local Government Act 1989*.
- Environmental

All works will be performed in accordance with Council's environmental policies and procedures. The contractor is required to prepare a Site Environmental Management Plan for approval by Council prior to commencing on site, and a Work on Waterways Permit Application has been submitted to NECMA.

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FINANCIAL IMPLICATIONS

The values for each tender received are shown below, the lowest three prices were all within 3%.

TENDER (S) RECOMMENDED	TENDERED VALUE (Excluding GST)
Citywide Services	\$485,211.35
TENDERS NOT RECOMMENDED	
McPhersons Earthmoving Contractors (non-conforming tender)	\$479,891.00
Northern Construction Group	\$493,861.43
McPhersons Earthmoving Contractors (conforming tender)	\$533,491.00

Funding for the project has been provided by Council, in the form of \$235,000 in the annual capital works budget, and by the Australian Federal Government and the State of Victoria, through its Office of the Emergency Services Commissioner, in the form of a \$235,000 grant under the Natural Disaster Resilience Grants Scheme.

The prices obtained from all tenderers were in excess of the project budget. The following breakdown shows the current budget, actual spend to date, and commitments additional to the proposed Contract (all amounts are exclusive of GST).

Project Budget (2011/12)		\$ 470,000	
Actual spent	Carry-over costs from 2010/11 (9500 - 95016)		\$ 18,718
	Actual spend 2011/12 YTD (9500 – 95014)		\$ 24,877
Commitments	Eslers, Setout, Survey + As-builts (firm quote)		\$ 7,150
	Robert Bon consulting (estimate)		\$ 5,000
	Internal project management costs (estimate)		\$ 4,000
	Total:	\$ 470,000	\$ 59,745
	Remaining budget	\$ 410,255	
	This Contract Sum		\$ 485,211
	Project Overspend		\$ 74,956

At the time of 2011-12 Capital works budget preparation; design works were not complete to prepare budgets against and the contracting market had not been tested. The approved budget was therefore derived from the Chiltern Flood Study recommendations. The Council Engineers estimate of the project is within 9% of the recommended tender which is considered acceptable. It is proposed that this overspend can be covered by re-allocating funding from other projects within the approved Capital Works budget.

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DELIVERY IMPLICATIONS

Although Citywide are a Melbourne Based company, referees from the Wangaratta City Council advised that they employ a full time project manager, who subcontracts most of the work to local contractors to perform the physical works. This model worked well for the City of Wangaratta, and satisfies the Procurement Policy objective of supporting local businesses where possible.

Portions 2 and 3 of the Chiltern Flood Mitigation Works Project are proposed to be delayed until the 2012/13 financial year. The works can commence immediately in the new financial year, as the engineering design, and any negotiations with adjacent landholders, will be completed before July 2012.

Natural disaster resilience / flood mitigation funding on the basis of 1:1 contribution will be sought to finance portions 2 and 3 for the 2012/13 financial year in the same manner as current successful grant applications.

POLICY IMPLICATIONS

Tenders were assessed in accordance with Indigo Shire Council's Procurement Policy dated 11 August 2009 in relation to "value for money" as defined in the policy.

COMMUNICATION

The 2007 Chiltern Flood Study, conducted by Water Technology Consultants, who were engaged by NECMA and Indigo Shire Council, contained a community consultation component. This comprised of a flood study awareness program, identifying key residents and contacts within the community, and an information session, inviting public comment, that was conducted on 2 November 2006.

Council officers have met with Chiltern residents throughout the design phase of the project. A media release, detailing the finding allocations to the project and commitment of Council to improve drainage in the town, was sent out on 19 October 2011. Reports followed in the Chiltern Grapevines on 28 October 2011, the Border Mail on 20 October 2011, and the Corowa Free Press on 26 October 2011.

CONCLUSION

After considering the tenders in accordance with Indigo Shire Council Procurement Policy 2009 and the Conditions of Tender, the panel determined that the tender from Citywide provided the best value for money.

Confidential attachment:
Crawford & Kilgour Street Channel Realignment



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INDIGO SHIRE COUNCIL

16.0 CLOSE