

CITY OF MOUNT GAMBIER

Minutes of Special Meeting of Council held on Tuesday, 27th August, 2014 at 5.30 p.m.

PRESENT: Mayor S Perryman, Cr A Lee, Cr J Maher, Cr D Mutton, Cr H Persello, Cr P Richardson, Cr B Shearing, Cr A Smith, Cr Von Stanke, Cr M White

APOLOGIES: Nil

COUNCIL OFFICERS: Chief Executive Officer, Mark McShane,
Daryl Sexton, Director – Operational Services
Michael Silvy, Manager – Regulatory Services

WE ACKNOWLEDGE THE BOANDIK PEOPLES AS THE TRADITIONAL CUSTODIANS OF THE LAND WHERE WE MEET TODAY. WE RESPECT THEIR SPIRITUAL RELATIONSHIP WITH THE LAND AND RECOGNISE THE DEEP FEELINGS OF ATTACHMENT OUR INDIGENOUS PEOPLES HAVE WITH THIS LAND.

Mr Leith Harvey, National President, Australian Indoor Bias Bowls Association presented a token of appreciation to the City of Mount Gambier, on the hosting of the 45th Australian Indoor Bias Bowls National Championships.

1. TENDER - Supply and Installation of Blue Lake Solar Pedestrian Lighting - Ref. AF14/277

- Goal: Building Communities*
Strategic Objective:
- (i) Strive for an increase in services and facilities to ensure the community has equitable access and that the identified needs of the community are met.*
 - (ii) Encourage the development of community facilities and infrastructure, community events, and active and safe community spaces through direct support, seeking funding, facilities etc.*
- Goal: Securing Economic Prosperity*
Strategic Objective:
- (i) Provide infrastructure and facilities that contribute to Mount Gambier being able to enhance its economic base and quality of life.*
- Goal: Environment*
Strategic Objective:
- (i) Plan and implement infrastructure to protect and enhance the natural and built environment, including in response to climate change influences.*
 - (ii) Support initiatives that value and preserve our unique environment and contribute to environmental sustainability.*
 - (iii) Support the preservation and enhancement of the City's unique natural and built heritage for future generations.*

Goal: Community Well-Being
Strategic Objective: (i) Advocate for the health needs of the community by encouraging partnerships in the provision of affordable and viable facilities and infrastructure.

The Director - Operational Services reported:

- (a) Council's Budget, at account No. 7680.5803 has an allocation of \$450,000 (exc. GST) for the supply and installation of solar powered lights around the Blue Lake;
- (b) Council has now invited and received tenders for the supply and installation of the solar powered lights. A number of tenders were received;
- (c) it is noted that the section of path between the two lakes (i.e. adjacent to Riddoch Highway / Bay Road) is excluded from this tender. This is because that section is currently illuminated with some mains powered lights, and advice from SA Power Networks (SAPN) is that it is not currently feasible due to limitations on existing cabling to supplement existing lights with additional lighting;
- (d) Council has to obtain formal Development Approval for this project and this will require referral to State Heritage. The tender was worded to maximise the chances of this approval being granted;
- (e) given the climatic conditions in Mount Gambier it is likely that the new solar lights will not run all night during winter and it will be necessary to restrict the hours of operation to ensure the Blue Lake Path is illuminated at times of likely use (say until 11:00 p.m. at night and from 5:00 a.m. in the morning);
- (f) five (5) tender submissions were received. Of those tenders two (2) were within the allocated budget. Assessment of tenders was carried out by Cr Ian Von Stanke, the Director - Operational Services, Regulatory Services Manager, Finance Manager and Environmental Sustainability Officer;

Submissions were assessed based on assessment criteria outlined in the tender, which included the following;

- The total price of the system.
- Experience in delivering similar installations.
- Quality of product.
- Warranties, guarantees and life expectancy of the system components.
- Local content.
- Ability to deliver project on time.
- Performance of the system.
- Aesthetics of the system.

(g) details of the submissions received are summarised in the table below:

Tenderer	Total Price (ex GST)	Average Ranking	Notes
A1 Highways	\$527,242	4.75	Above allocated budget.
Australian Sun Energy	\$790,000	4.25	Above allocated budget.
Klaasens Contractors	\$567,731	2.75	Above allocated budget.
Outfront Concepts	\$398,941	2.2	Within allocated budget.
Stuckey Electrical	\$351,690	1	Within allocated budget.

- (h) the submission from Stuckey Electrical was the only submission that satisfied both the aesthetic requirements of the tender, and was within the allocated budget;
- (i) initially the submissions were assessed independently by each member of the assessment panel against the assessment criteria. Following this, the assessment panel convened to discuss their results and select a preferred tenderer;
- (j) this process resulted in a unanimous decision to recommend Stuckey Electrical as the preferred tenderer, for a total price of \$351,690 (exc. GST), which fits within the \$450,000 budget.

Cr Richardson moved it be recommended:

- (a) the report be received;
- (b) on receipt of State Heritage and Development approvals, Council accept Stuckey Electrical as the successful tenderer for Tender AF14/277 - Design, Supply and Installation of Pedestrian Solar Lighting Around the Blue Lake, in accordance with their tender submission, at a total contract cost of \$351,690 (exc. GST);
- (c) appoint the Director - Operational Services as the contract superintendant. In accordance with Clause 10 and 32 of the Tender document (“Acceptance of Tender” and “Close of Tenders”) authorise the Director to negotiate contract variations within the allocated budget, as necessary to satisfy State Heritage and Development Approval requirements, as well as any operational matters that arise during the construction phase.
- (d) Council not accept any tender from tender AF14/155

Cr Mutton seconded

Carried

CONSIDERATION FOR EXCLUSION OF PUBLIC

Cr Smith moved that the following items be received, discussed and considered in confidence by excluding the public Pursuant to section 90(2) of the *Local Government Act 1999* the Council orders that all members of the public, except Council Officers present in their official capacity, be excluded from attendance at the meeting for Agenda Item Economic Development – Business Enterprise AF13/477.

The Council is satisfied that, pursuant to section 90(3)(d) of the Act, the information to be received, discussed or considered in relation to this Agenda Item is commercial information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information and to confer a commercial advantage on a third party.

The information to be received, discussed and considered relates to a proposed economic development activity by a third part, the premature disclosure of which could jeopardise both financial and government support and progression of the activity within the City.

In addition, the disclosure of this information would, on balance, be contrary to the public interest. The public interest in public access to the meeting has been balanced against the public interest in the continued non-disclosure of the information. The benefit to the public at large resulting from withholding the information outweighs the benefit to it of disclosure of the information. The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because of the potential economic and social benefits to the City associated with the proposed activity that could be put at risk by the premature release or announcement about the proposed activity.

Further, pursuant to section 90(3)(b) of the Act, the information to be received, discussed or considered in relation to this Agenda Item is information the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the Council is:

- proposing to conduct business; and
- the information would prejudice the commercial position of the Council;

The information to be received, discussed and considered relates to potential commercial arrangements to be negotiated with third parties the premature release of which could confer a commercial advantage on those parties and in doing so prejudice the commercial position of the Council in its further dealings with the matter.

<u>Item No.</u>	<u>Subject Matter</u>	<u>S90 (3) Grounds</u>
3.	<u>ECONOMIC DEVELOPMENT</u> – Business Enterprise - Ref. AF13/477	(b & d)

Cr Von Stanke seconded

Carried