



STRATHBOGIE SHIRE COUNCIL

MINUTES/DECISIONS OF AN EXTRAORDINARY MEETING OF THE STRATHBOGIE SHIRE COUNCIL HELD VIRTUALLY ON TUESDAY 1 FEBRUARY 2022 AT THE EUROA COMMUNITY CONFERENCE CENTRE, COMMENCING AT 6.00 P.M.

Chair:	Laura Binks (Mayor)	(Mount Wombat Ward)
Councillors:	David Andrews	(Lake Nagambie Ward)
	Reg Dickinson	(Lake Nagambie Ward)
	Sally Hayes-Burke	(Seven Creeks Ward)
	Kristy Hourigan	(Seven Creeks Ward)
	Paul Murray	(Hughes Creek Ward)
	Chris Raeburn	(Honeysuckle Creek Ward)
Municipal Monitor:	Janet Dore	
Officers:	Julie Salomon	Chief Executive Officer (CEO)
	David Roff	Director, Corporate Operations (DCO)
	Amanda Tingay	Director, Community and Planning (DCP)
	Dawn Bray	Director, People and Performance (DPP)
	Kristin Favaloro	Executive Manager, Communications and Engagement (EMCE)

BUSINESS

1. Welcome
2. Acknowledgement of Traditional Land Owners

We acknowledge the Traditional Custodians of the places we live, work and play.

We recognise and respect the enduring relationship they have with their lands and waters, and we pay respects to the Elders past, present and emerging.

Today we are meeting on the lands of the Taungurung peoples of the Eastern Kulin nation, whose sovereignty here has never been ceded.
3. Apologies
4. Disclosure of Conflicts of Interest
5. Officer Reports
 - 5.1 Strategic and Statutory
 - 5.2 Community
 - 5.3 Infrastructure
 - 5.4 Corporate
 - 5.5 Governance and Customer Service
 - 5.6 Executive
6. Confidential Business

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5. REPORTS

5.3 INFRASTRUCTURE

5.3.1 Tender for Contract No. 21/22-12: Construction of Nagambie Lake Foreshore Pathway

Authors: Manager Projects Delivery, Senior Project Officer

Responsible Director: Director Community and Planning

EXECUTIVE SUMMARY

The purpose of this Report is to seek Council's approval to appoint a suitably qualified contractor to undertake the Construction of a pedestrian pathway along the foreshore of Lake Nagambie to link the Regatta Centre to the Nagambie Township (refer to Attachment 1). A purpose built pedestrian link between the Regatta Centre and Nagambie CBD along the lake shoreline has been considered a vital stimulant needed for improved social connection and tourism growth in Nagambie, and has been a prominent component of Council's Capital Works Program for the Financial Year 2021-22.

Through public advertisement in local and national newspapers, Council initially invited tenders for Construction of the Nagambie Lake Foreshore Pathway under Contract 21/22-12 between 17/09/2021 and 20/10/2021. Owing to a lack of sufficient responses to tender (due to Covid lockdown restrictions at the time of advertising), the tender was re-advertised for another period between 22/10/2021 and 01/12/2021. At the end of the second advertisement period, three (3) tenderers submitted tenders for the work. These tenders have been assessed and evaluated by Council Officers and a summary of results provided to Councillors in the Confidential Appendices to this report.

Having considered the results of the evaluation process, it is recommended that Council awards Contract Number 21/22-12 - Construction of Nagambie Lake Foreshore Pathway to Gadian Projects Pty Ltd.

Two objectors to the construction of a pedestrian pathway along the foreshore of Lake Nagambie addressed the meeting.

***MOVED: COUNCILLOR ANDREWS
SECONDED: COUNCILLOR DICKINSON***

That Council:

- 1. Receives and notes the outcome of the tender assessment process for Contract No 21/22-12 Construction of Nagambie Lake Foreshore Pathway - Lump Sum as set out in the confidential appendices attached to this report;***

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5.3.1 Tender for Contract No. 21/22-12: Construction of Nagambie Lake Foreshore Pathway (cont.)

MOTION (cont.)

2. ***Awards the tender for Contract No 21/22-12 Construction of Nagambie Lake Foreshore Pathway - Lump Sum to Gadian Projects Pty Ltd (Shepparton) for a total sum of \$3,813,139.12 + GST as negotiated post tender evaluation;***
3. ***Authorises officers to advise the unsuccessful tenderers;***
4. ***Authorises the Chief Executive Officer to execute the Contract by signing and affixing with the Common Seal of Strathbogrie Shire Council;***
5. ***Note that construction will commence on 07 March 2022 with an anticipated completion date of 14 October 2022;***
6. ***Note and endorse that any further variations to the tendered design as requested by any of the adjoining property owners will:***
 - a) ***be met in full (design and construction variation costs) by the property owner,***
 - b) ***not unduly delay the project by compromising construction timelines with all variations agreed and finalised for further design and costing no later than 28 February 2022; and***
7. ***Note and endorse that the exception to recommendation 6 a) above is the option of bringing the boardwalk back on Goulburn-Murray Water land to facilitate boat access for a property owner which would be at Council's cost given it can be accommodated in the existing budget allocation.***

EM-08-21/22 **CARRIED**

5.3.2 Lake Nagambie Floating Water Park Development

Authors: Manager Projects Delivery, Senior Project Officer

Responsible Director: Director Community and Planning

EXECUTIVE SUMMARY

The purpose of this report is to inform on the outcome of the search and to seek Council's approval of recommendation to appoint a suitable Developer and Operator of the Floating Water Park as proposed at Lake Nagambie. A floating water park is a series of inflatable obstacles on water, including balancing, climbing, jumping, running, and swimming. The activity can provide the health benefits of a vigorous workout as well as the fun of completing an obstacle course.

Previously, Council identified an opportunity to promote tourism with a view to stimulating economic development in the Strathbogie Shire through provision of a Floating Water Park on Lake Nagambie. Council has also proposed to pursue this goal through a Public-Private-Partnership arrangement with a suitable experienced and qualified business operator. To achieve this objective, Council conducted a public Expression of Interest for the most suitably qualified interested party to form partnership in accordance with Council's Procurement Policy.

Council conducted the search through a multi-staged process which included:

- Public invitation for Expression of Interest
- Shortlisted candidates to provide structured presentations, and
- the panel's evaluation of further information obtained from the two final candidates to reach final decision.

Having considered the results of the evaluation process, it is recommended that Council appoint Exco Construct Pty Ltd (Wacky Water Play) to install and operate the Lake Nagambie Floating Water Park. Wacky Water Play, a subsidiary company of Exco Construct Pty Ltd, have over 35 years of specialist aquatic, water park and playground construction, installation, and operational experience.

MOVED: COUNCILLOR DICKINSON
SECONDED: COUNCILLOR ANDREWS

That Council:

- 1. Notes the outcome of the EOI assessment process for the Lake Nagambie Floating Water Park Development (CN 21/22-04) as provided in this report and the appendices attached to this report;***
- 2. Approves the recommendation to appoint Exco Construct Pty Ltd (Wacky Water Play) Cheltenham to install and operate Nagambie Lake Floating Water Park in line with the terms and conditions set out in the Terms of Reference for the project;***
- 3. Authorises officers to advise the unsuccessful tenderers;***

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5.3.2 Lake Nagambie Floating Water Park Development (cont.)

MOTION (cont.)

- 4. Authorise the Chief Executive Officer to execute the Contract by signing and affixing with the Common Seal of Strathbogie Shire Council; and**
- 5. Note that construction/installation will commence on 28 February 2022 with an anticipated commencement of operation by September 2022.**

EM-09-21/22 CARRIED



5.3.3 Tender for Contract No. 20/21-69: Design and Construction of Waterfront Infrastructure Access for Proposed Nagambie Floating Water Park

Authors: Manager Projects Delivery, Senior Project officer

Responsible Director: Director Community & Planning

EXECUTIVE SUMMARY

The works under consideration provide on land access infrastructure for the proposed Floating Water Park at Lake Nagambie. Work under the contract will include tests, detailed engineering design and construction of access way in readiness for the development of the floating water park. This work has been planned for delivery under Strathbogie Shire Capital Work Program for the 2021-22 Financial Year.

Through public advertisement in local and national newspapers, Council invited tenders for the Work under Contract No. 20/21-69 between 09/04/2021 and 26/05/2021. Two tenderers submitted tenders for the work. These tenders have been assessed and evaluated by Council Officers and a summary of results is shown in the attached Tables A and B (Confidential Section of this Report).

Having given consideration to the results of the evaluation, it is recommended that Council award the tender for the Design and Construction of the Waterfront Infrastructure Access at Lake Nagambie to Duratec Australia Limited based in Western Australia and with offices located in Melbourne and other Capital cities.

***MOVED: COUNCILLOR HOURIGAN
SECONDED: COUNCILLOR DICKINSON***

That Council:

- 1. Receives and notes the outcome of the tender assessment process for Contract No 20/21-69 Design & Construction of Waterfront Infrastructure Access for Proposed Lake Nagambie Floating Water Park - Lump Sum as detailed in this report;***
- 2. Awards the design and construct tender for Contract No 20/21-69 Design & Construction of Waterfront Infrastructure Access for Proposed Lake Nagambie Floating Water Park - Lump Sum to Duratec Australia Limited (Melbourne) for a total amount of \$190,994.89 + GST;***
- 3. Authorises officers to advise the unsuccessful tenderer;***
- 4. Authorises the Chief Executive Officer or delegate to execute the Contract by signing and affixing with the Common Seal of Strathbogie Shire Council; and***
- 5. Note that construction will commence on 07 March 2022 with an anticipated completion date of 30 May 2022.***

EM-10-21/22 CARRIED

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6. CONFIDENTIAL BUSINESS

Nil

THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT 6.36 P.M.

Confirmed as being a true and accurate record of the Meeting


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Chair


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Date