



**Planning and Strategy
Committee of the Whole**

SUPPLEMENTARY

AGENDA

13 October 2021

Commencing at 5.30pm

On-site Inspections - Nil

SUPPLEMENTARY REPORTS

- 8.7 Request for Consent to Exercise Council Delegation for Resolution of Tender within Caretaker Period3

LIST OF ATTACHMENTS

Open Attachments

Nil

Closed Attachments

- Item 8.7 Request for Consent to Exercise Council Delegation for Resolution of Tender within Caretaker Period

Attachment 1 Letter to Minister Local Government - The Hon Shelley Hancock (Under Separate Cover)

8.7 Request for Consent to Exercise Council Delegation for Resolution of Tender within Caretaker Period (Ref: ; Author: Knight/Flint)

File Reference: 36.1.3

Summary

Tender for Design, Development and Construction of Pumping Station at Days Hill and Design, Development and Construction of Concrete Reservoir Pipelines and Access Road at North Elmslea.

Council will recall the adoption of the *Palerang Communities Integrated Water Cycle Management (IWCM) Plan* in February 2019. This Plan set out the strategic direction for the various schemes in Bungendore, Braidwood and Captains Flat over the next 30-year years. The largest issue identified in the Plan was the need to develop the water and sewerage facilities at Bungendore in a response to greenfield growth pressures.

The *Development Servicing Plan (DSP)* for the Palerang Communities was developed following the IWCM process. The DSP details the capital headworks, funded from s.64 contributions, that Council will undertake to support the greenfield development. The key deliverables are a new \$2 million service reservoir and a dedicated water pump station.

Council has approved the first stage of the Elm Grove development which consists of 90 lots, with construction underway. Over the past few months, Council's consultants have been working on the designs and specifications for the reservoir and water pump station. Two tenders for these works have recently been called and will close on 19 October 2021. These tenders are *Design, Development and Construction of Pumping Station at Days Hill* (Contract 10043771) and *Design, Development and Construction of Concrete Reservoir Pipelines and Access Road at North Elmslea* (Contract 10043781). It is expected that a report recommending the award of both Tenders will be presented to the 24 November 2021 Ordinary Council Meeting.

Planning for these works has been extensive with original expectations for the approval period being well beyond the former 4 September 2021 election date. The decision to delay the Election until 4 December 2021 has created an issue for these critical path works in terms of the legislated caretaker period. The fact that the election is now on 4 December 2021, its proximity to the Christmas break and the likely effects that COVID-19 will have on postal voting, mean that a decision on these works may not be handed down until February 2022 – a delay of up to three months. This is a significant delay and will translate into a similar delay in the completion of the proposed works – around Christmas 2022.

Given that the development will require reticulated water services well before the expected completion date, staff are recommending that Council consider awarding these tenders as part of Ordinary Council Meeting on 24 November 2021, providing an exemption is granted by the Minister for Local Government under Section 393B(2) *Local Government (General) Regulation 2021*.

Should the assessment of tenders be completed earlier than expected, an Extraordinary Meeting will be called for 3 November 2021 which is prior to the Caretaker Period.

Both projects are budgeted for in the 2021-22 financial year and are included in the capital works program in the Operational Plan 2021-22.

8.7 Request for Consent to Exercise Council Delegation for Resolution of Tender within Caretaker Period (Ref: ; Author: Knight/Flint) (Continued)***Tender for Construction of the Braidwood Skate at Braidwood Recreation Ground***

The Braidwood Youth Performing Arts Association (BYPAA) have received funding to construct a new skatepark at the Recreation Ground in Braidwood. The construction of the skatepark will be a joint project between the BYPAA, the Council, and the Public Works Advisory as project administrators. Council is responsible for overseeing the tender and construction of the park.

The skatepark in Braidwood has been the subject of much community discussion over many years and the community is keen to see the project proceed as soon as possible.

Convic, the skatepark designers, were contracted by Council to engage and consult with the Braidwood community to provide a community driven design for their new skatepark, suitable to the Braidwood families and Braidwood youth. Convic are a global leader in skateparks and youth space solutions.

A Tender has now been issued for the construction of the skatepark, closing and following a minor extension will begin evaluation on 19 October 2021. The tender will be assessed by Council in conjunction with the BPYAA. As with the aforementioned Days Hill and Reservoir tenders this tender would normally have been presented to Council's meeting of 24 November 2021.

It is probable that the Tender will be assessed and ready to go before Council by the suggested date of the extraordinary meeting foreshadowed for the 3 November 2021. However, if this is not possible or the extraordinary meeting does not proceed it is recommended that Council also include this contract in the request for consent for Council to consider this tender at the 24 November 2021 meeting during the caretaker period.

Recommendation

That:

- 1. Council submit a letter to the Minister for Local Government requesting consent to exercise Council Delegation for Resolution of Tender during Caretaker Period (in accordance with Section 393B(2) of the *Local Government (General) Regulation 2021* at the 24 November 2021 Ordinary Council Meeting.**
- 2. If the Tender Evaluation process for all three tenders is completed prior to the Caretaker Period due to commence on 5 November 2021, Council hold an Extraordinary Council Meeting on 3 November 2021 to grant a resolution in respect of awarding these three Tenders.**

Attachments

Attachment 1 Letter to Minister Local Government - The Hon Shelley Hancock (*Under Separate Cover*) - **CONFIDENTIAL**