



SPECIAL COUNCIL AGENDA

7 MAY 2024

COUNCIL CHAMBERS

COMMUNITY ADMINISTRATION CENTRE (CAC)

NOTICE OF MEETING

Notice is hereby given that a special meeting of the Sorell Council will be held at the Community Administration Centre (CAC), 47 Cole Street, Sorell on Tuesday, 7 May 2024 commencing at 4.30 pm.

C E R T I F I C A T I O N

I, Robert Higgins, General Manager of the Sorell Council, hereby certify that in accordance with Section 65 of the Local Government Act 1993, the reports in this Agenda have been prepared by persons who have the qualifications and experience necessary to give such information, recommendation or advice.

Council or a Council Committee is not to decide on any matter which requires the advice of a qualified person without considering such advice unless –

- (a) the General Manager certifies, in writing –
 - (i) that such advice was obtained; and
 - (ii) that the General Manager took the advice into account in providing general advice to the Council or Council Committee; and
- (b) a copy of that advice or, if the advice was given orally, a written transcript or summary of that advice is provided to the Council or Council Committee with the General Manager's certificate.

Notices of Motion and supporting documentation from Councillors are exempted from this certification.

ROBERT HIGGINS
GENERAL MANAGER
2 MAY 2024



AGENDA

FOR THE SPECIAL COUNCIL MEETING TO BE HELD AT THE
COMMUNITY ADMINISTRATION CENTRE (CAC), 47 COLE STREET, SORELL ON
7 MAY 2024

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1.0 ATTENDANCE

Deputy Mayor C Wooley
Councillor S Campbell
Councillor J Gatehouse
Councillor M Miró Quesada Le Roux
Councillor B Nichols
Councillor M Reed
Councillor N Reynolds
Councillor C Torenus

2.0 APOLOGIES

Mayor K Vincent -

3.0 DECLARATIONS OF PECUNIARY INTEREST

4.0 INFRASTRUCTURE AND ASSETS

4.1 GREVILLEA STREET STORMWATER WORKS PROPOSAL

RECOMMENDATION

“That Council resolve to:

- a) Approve a new FY 2023/24 capital expenditure project for additional stormwater works at Grevillea Street and appoint State-Wide Earthworks Pty Ltd as the contractor without the standard request for quotation process through an exemption to the Code of Tenders and Contracts pursuant to Clause 10.9; and
- b) Authorise the General Manager to execute the necessary agreement.”

Background

As part of the design process for capital renewal project C-23-T-006 Primrose Sands Road and Grevillea Street Reconstruction, it was identified that the stormwater network in this area is not sufficient. This conclusion was further supported by the Sorell stormwater pipe capacity analysis completed by Entura in 2019 which indicates that the current system cannot cope with a 63% annual exceedance probability rainfall event (or 1 year expected interval).



Upgrading this stormwater line is complex and costly due to a significant portion of the existing line going through 573 Primrose Sands Road within a narrow drainage easement. When this system cannot cope with stormwater, there is a significant risk of property damage due to inundation at 575 Primrose Sands Road.

As part of the current roadworks a new drainage line was installed which bypasses the existing undersized line through private property. This has reduced the stormwater load on the line through private property and hence, the risk of property inundation due to inadequate stormwater infrastructure. This new line reconnects to the existing line downstream of the property and discharges out of the existing outfall. The new line is a DN600 which connects to the existing DN375 with a grated pit to allow for overflow in the event of a heavy rainfall.

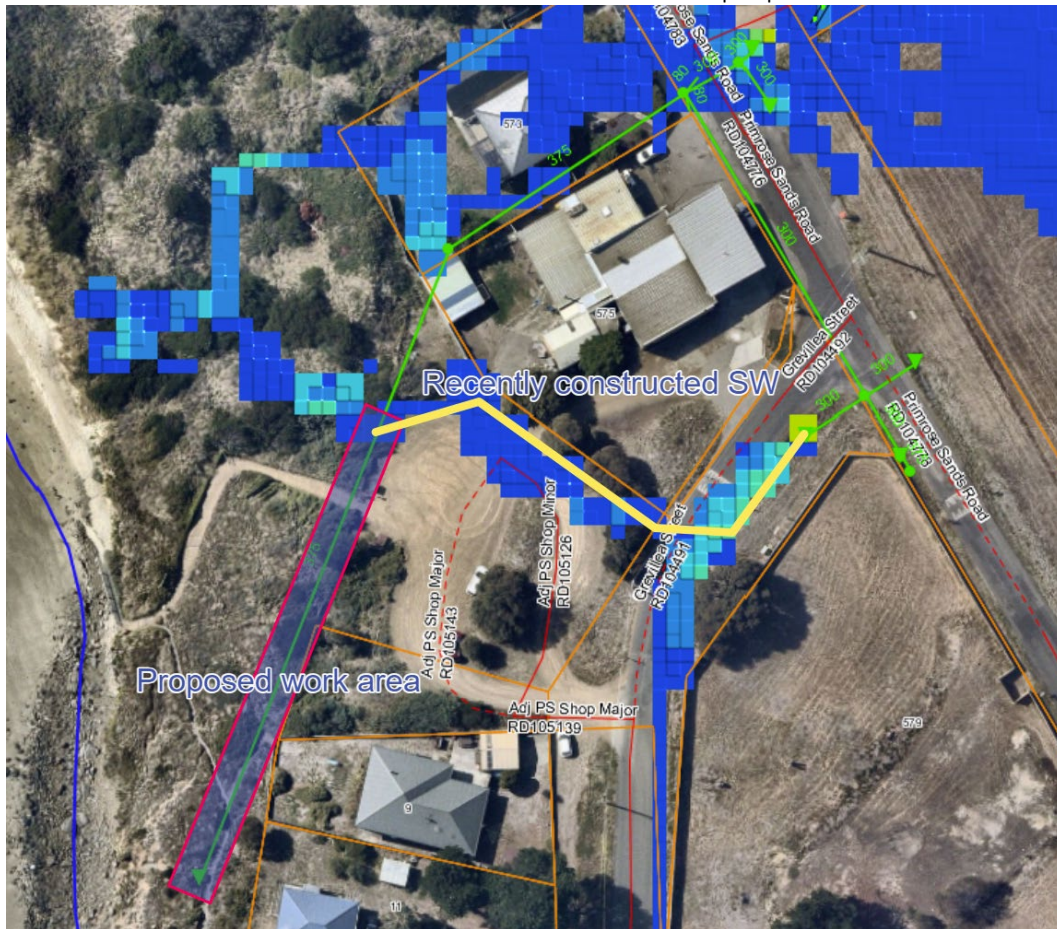
It was identified that it would be advantageous to upgrade 63 metres of the existing stormwater line downstream of the new connection to prevent overflow, reducing costal erosion and maintenance. The new line would ideally be a DN750 to ensure adequate capacity to accommodate the DN600 and DN375 lines which currently flow into it.

The existing outfall has been identified as not suitable for CERMP consideration due to good bank stability and minimal erosion, meaning it is in a good location. This outfall is large enough to accommodate a DN750 pipe without being replaced which should allow construction to be completed without disturbing the embankment downstream of the outfall.

This was not included in the original scope of the C-23-T-006 project for the following reasons:

- The stormwater line and outfall are located on Crown Land for which an application for consent to complete the works was required – this has recently been obtained with Crown providing no objection to the proposal.
- It was not clear exactly where or how deep the existing stormwater line was and if it would be feasible to upgrade – it was outside the scope of the design survey.
- The project was for the reconstruction of Primrose Sands Road and Grevillea Street, there was no stormwater component outside of what was essential for the facilitation of the road works.

The following sketch shows the existing stormwater infrastructure, newly constructed stormwater infrastructure and proposed work area:



Proposal

State-Wide Earthworks (SWE) commenced construction of the Primrose Sands Road and Grevillea Street roadworks in March 2024. These works are well underway and are expected to be complete in around 3 weeks.

SWE have provided a price to upgrade the 63 metres of existing DN375 concrete pipe to DN750. This proposal includes:

- Excavation and disposal of the existing pipe;
- Installation of new DN750 pipe; and
- Rehabilitation with a minimum of 4 native coastal plants per square metre.

The existing outfall is an insitu concrete outfall which is large enough to accommodate the new stormwater pipe and does not require replacement.

As SWE are currently on-site doing roadworks, they have the necessary plant and facilities to complete the works on hand without the need for additional mobilisation. Their quote excludes these typical costs.

The price provided for the works as described above is \$89,935 which equates to approximately \$1430 per metre including rehabilitation. There is an alternative solution which uses DN600 pipe instead of DN750 and is priced at \$76,075. This solution is not recommended as the pipe will still be undersized in a larger rain event. It is also worth noting that the price includes almost \$30,000 (or 33% of the total cost) for rehabilitation works.

If approved, these additional stormwater works can be completed alongside the roadworks with an estimated completion date of 31 May 2024.

It is proposed that a new 2023/24 capital job is created for the Grevillea Street Stormwater Upgrade with SWE appointed as the contractor.

Strategic Plan

Council's Strategic Plan 2019-2029 Objective 2 – Responsible Stewardship and a Sustainable Organisation, Items:

1. Ensure decisions are financially responsible and sustainable;
3. Strategically manage our assets, facilities, services and structure, with a focus on continuous improvement;
5. Invest capital to minimise maintenance and maximise lifecycle value.

Annual Plan

Not applicable.

Policy

Councils Asset Management Policy August 2018 and Code for Tenders and Contracts September 2019 are applicable.

Asset Management Implications

Upgraded stormwater infrastructure to be amended in Council's asset system (SD107586).

Minimise maintenance costs through reduced overland flow and costal erosion

Risk Management Implications

- Reduce risk of property inundation due to inadequate SW capacity in network.
- General reduction in flood risk.
- Reduce coastal erosion by conveying stormwater to an existing functioning discharge point.

Community Implications

- Reduced property inundation for 573 Primrose Sands Road.
- Reduced erosion down Council's beach access walkway.
- PM and contractor to liaise with affected community during works.



- Disturbed areas will be rehabilitated with native coastal vegetation in consultation with Council's NRM Facilitator.

Project Costs

The projected 2023/24 capital expenditure for the proposed capital project is as follows:

Quoted price	\$89,935
Project Management (estimate)	\$5,000
Asset Capitalisation	\$500
Total	\$95,435
	(Excl. GST)

Recommendation

Clause 10.9 Exemptions of Sorell Council's Code of Tenders and Contracts states:

10.9 a contract for goods or services if the council resolves by absolute majority and states the reasons for the decision, that a satisfactory result would not be achieved by inviting tenders because of–

10.9.1 extenuating circumstances or

10.9.2 the remoteness of the locality or

10.9.3 the unavailability of competitive or reliable tenderers

10.9.4 a contract of employment with a person as an employee of the council

SWE have provided a quotation which excludes mobilisation and site setup with construction rates consistent with their recent tender for C-23-T-006 Primrose Sands Road and Grevillea Street Reconstruction. Due to the nature of the works and size of the required excavator, this component is likely to be more than 20% of the total price. Additionally, to prevent potential coastal erosion over the winter months, it would be advantageous to complete the works as soon as possible.

Based on the above and to achieve the best value for money, it is recommended that State-Wide Earthworks Pty Ltd are appointed the contractor for the proposed stormwater works without the standard tender process though an exemption to the Code of Tenders and Contracts under Clause 10.9.



DENIS WALL

PROJECT MANAGER

Date: 1 May 2024



5.0 FINANCE

5.1 2023-2024 CAPITAL BUDGET ADJUSTMENTS

RECOMMENDATION

“That Council resolve pursuant to Section 82 of the Local Government Act 1993 to accept and adopt the below adjustments to the 2023/2024 Capital Budget estimates.”

Capital expenditure to the end of April 2024 is \$8,617,057 (as per Capital Works Budget run on 2 May 2024).

The following Capital Budget adjustment has been requested for the May 2024 Special Council meeting.

Below is a summary of the requested adjustment.

Original Budget approved in June 2023 Council meeting	\$18,037,243
Budget approved in April 2024 Council meeting	\$14,532,908
Budget adjustments requested for approval in May 2024 Special Council Meeting:	
Total adjustments on capital jobs with variances of over 10%	\$0
Total adjustments on completed capital jobs with variances of over 10%	\$0
Total adjustments on new capital jobs	\$95,435
Budget requested for approval in May 2024 Special Council Meeting	\$14,628,343

Below is a detailed explanation of the requested adjustment.

The following capital job adjustment has been requested because it does not have an approved budget but has expected expenditure in the 2023/2024 financial year:

Job Name and No.	Approved Budget	Adjusted Budget
C-24-S-012 Grevillea Street Stormwater Upgrade	\$0	\$95,435
Total Adjustments	\$0	\$95,435



- C-24-S-012 Grevillea Street Stormwater Upgrade – As part of the design process for a Road Reconstruction project, it was identified that the stormwater network in this area is not sufficient. Upgrading this stormwater line will be advantageous to prevent overflow, reducing coastal erosion and maintenance. Details per agenda item 4.1 to May Special Council Meeting.

STEPHANIE PERRY
MANAGER FINANCE

SALLY FANG
ACCOUNTANT

Date: 02 May 2024



CLOSED MEETING

Members are advised that items listed below in the CLOSED SESSION AGENDA are classified as CONFIDENTIAL ITEMS in accordance with the provisions of the Local Government Act 1993.

A Councillor must not discuss any item listed in a CLOSED SESSION AGENDA with any person (except another elected member, the General Manager or the author of a report to the closed session of Council or a Council Committee) without a specific resolution of the Council or a Council Committee that considered the report.

Section 338A (1) of the Local Government Act 1993 states that a Councillor must not disclose information:

(a) seen or heard by the Councillor at a meeting or part of a meeting of a council or council committee that is closed to the public that is not authorised by the council or council committee to be disclosed; or

(b) given to the Councillor by the mayor, deputy mayor, chairperson of a meeting of the council or council committee or the general manager on the condition that it be kept confidential.

Section 338A (3) states that a member must not disclose information acquired as such a member on the condition that it be kept confidential.

Additionally, Section 339 of the Local Government Act 1993 states that:

(1) A councillor or a member must not make improper use of any information acquired as a councillor or member.

(3) Improper use of information includes using the information –

(a) to gain, directly or indirectly, an advantage or to avoid, directly or indirectly, a disadvantage for oneself, a member of one's family or a close associate; or

(b) to cause any loss or damage to any council, controlling authority, single authority, joint authority or person.



6.0 CLOSED MEETING

The General Manager advised that in his opinion the listing of agenda item/s:

Reference	Item
6.1	Disclosure of confidential information – <i>Regulation 15(8)</i>
6.2	Tender C-24-T-032, C-24-T-033, C-24-T-036, Midway Point Footpath Renewal - <i>Regulation 15(2)(d)</i>

As prescribed items in accordance with Regulations 15 and 34 of the Local Government (Meeting Procedures) Regulations 2015, and therefore Council may by absolute majority determine to close the meeting to the general public.

RECOMMENDATION

That the meeting be closed to the public to enable Council to consider agenda items 6.1 – 6.2 which are confidential matters as prescribed in Regulations 34 and 15 of the Local Government (Meeting Procedures) Regulations 2015.

6.1 AUTHORISATION TO DISCLOSE CONFIDENTIAL INFORMATION

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RECOMMENDATION

“That in accordance with Regulation 15(9) of the Local Government (Meeting Procedures) Regulations 2015, the Mayor and General Manager be authorised to disclose information from this ‘Closed Section’ of this meeting in the course of implementing the decisions of Council.”

6.2 TENDER C-24-T-032, C-24-T-033, C-24-T-036, MIDWAY POINT FOOTPATH RENEWAL



7.0 ACRONYMS

AGM	Annual General Meeting
AFL	Australian Football League
AIR	Australian Immunisation Register
ASU	Australian Services Union
ATO	Australian Taxation Office
AWTS	Aerated Wastewater Treatment Systems
BEST	Business and Employment Southeast Tasmania
CAC	Community Administration Centre
CEO	Chief Executive Officer
CLRS	Councillors
CPR	Cardiopulmonary Resuscitation
CRM	Customer Request Management
CRDSJA	Copping Refuse Disposal Site Joint Authority
DEDTA	Department Economic Development, Tourism & The Arts
DOE	Department of Education
DPAC	Department of Premier & Cabinet
DPFEM	Department of Police, Fire and Emergency Management
DSG	Department of State Growth
DST	Destination Southern Tasmania
EBA	Enterprise Bargaining Agreement
EOI	Expressions of Interest
EOFY	End of Financial Year
EPA	Environment Permit Authority
EWaste	Electronic Waste
FMAC	Fire Management Assessment Committee
GM	General Manager
ICT	Information Communication Technology
LGAT	Local Government Association of Tasmania
LPS	Local Provisions Schedule
LTFP	Long Term Financial Plan
LTI	Lost Time Injury
MAST	Marine & Safety Tasmania
MEMC	Municipal Emergency Management Committee
NBN	National Broadband Network
NRE	Department of Natural Resources and Environment Tasmania
NRM	Natural Resource Management
PWS	Parks and Wildlife Service
RACT	Royal Automobile Club of Tasmania
RDA	Regional Development Australia
RSL	Returned Services League
RTI	Right to Information
SBIP	School Based Immunisation Program



SEI	South East Irrigation
SEBA	South East Basketball Association
SENA	South East Netball Association
SERDA	South East Region Development Association
SEUFC	South East United Football Club
SES	State Emergency Service
SFC	Sorell Football Club
SFL	Southern Football League
SMH	Sorell Memorial Hall
SPA	Sorell Planning Authority
STCA	Southern Tasmanian Councils Association
STRWA	Southern Tasmanian Regional Waste Authority
SWSA	Southern Waste Strategy Association
SWS	Southern Waste Solutions
TasCAT	Tasmanian Civil and Administrative Tribunal
TAO	Tasmanian Audit Office
TCF	Tasmanian Community Fund
TOR	Terms of Reference
UTAS	University of Tasmania

