



# Corporate & Works Committee

**Agenda:** *Corporate & Works Committee*

**Date:** *Monday 6 August 2007*

**Time:** *6.00pm*

## **Outline of Meeting Protocol & Procedure:**

- The Chairperson will call the Meeting to order and ask the Committee/Staff to present apologies or late correspondence.
- The Chairperson will commence the Order of Business as shown in the Index to the Agenda.
- At the beginning of each item the Chairperson will ask whether a member(s) of the public wish to address the Committee.
- If person(s) wish to address the Committee, they are allowed four (4) minutes in which to do so. Please direct comments to the issues at hand.
- If there are persons representing both sides of a matter (eg applicant/objector), the person(s) against the recommendation speak first.
- At the conclusion of the allotted four (4) minutes, the speaker resumes his/her seat and takes no further part in the debate unless specifically called to do so by the Chairperson.
- If there is more than one (1) person wishing to address the Committee from the same side of the debate, the Chairperson will request that where possible a spokesperson be nominated to represent the parties.
- The Chairperson has the discretion whether to continue to accept speakers from the floor.
- After considering any submissions the Committee will debate the matter (if necessary), and arrive at a recommendation (R items which proceed to Full Council) or a resolution (D items for which the Committee has delegated authority).

## **Delegated Authority (“D” Items):**

- General financial and corporate management of the Council, except those specifically excluded by statute, by Council direction or delegated specifically to another Committee.
- Note: This not to limit the discretions of nominated staff members exercising Delegated Authorities granted by the Council.
- Quarterly review of Council's Management Plan.
- Finance Regulations, including:-
  - Authorisation of expenditures within budgetary provisions where not delegated;
  - Quarterly review of Budget Review Statements;
  - Quarterly and other reports on Works and Services provision; and
  - Writing off of rates, fees and charges because of non-rateability, bad debts, and impracticality of collection.
- Auditing.
- Property Management.
- Asset Management.
- Traffic Management - Works Implementation.
- Works and Services - Monitoring and Implementations.
- Legal Matters and Legal Register.
- Parks and Reserves Management.
- Infrastructure Management, Design and Investigation.
- To require such investigations, reports or actions as considered necessary in respect of matters contained within the Business Agenda (and as may be limited by specific Council resolution).
- Confirmation of Minutes of its Meeting.
- Any other matter falling within the responsibility of the Corporate and Works Committee and not restricted by the Local Government Act or required to be a Recommendation to Full Council as listed below.

## **Recommendation only to the Full Council (“R” Items):**

- Such matters as are specified in Section 377 and within the ambit of the Committee considerations.
- The voting of money for expenditure on works, services and operations.
- Rates, Fees and Charges.
- Donations
- Matters which involve broad strategic or policy initiatives within responsibilities of the Committee.
- Matters not within the specified functions of the Committee.
- Asset Rationalisation.
- Corporate Operations:-
  - Statutory Reporting; - Delegations.
  - Adoption of Council's Management Plans; - Policies.
  - Quality Service/Communications; - Tenders as per Regulation requirements.
  - Leases.
  - Matters reserved by individual Councillors in accordance with any Council policy on "safeguards" and substantive changes

**Committee Membership:**

7 Councillors

**Quorum:**

The quorum for a Committee meeting is 4 Councillors.

# WOOLLAHRA MUNICIPAL COUNCIL

## Notice of Meeting

2 August 2007

To: Her Worship the Mayor, Councillor Huxley, ex-officio  
Councillors      Julian Martin                      (Chair)  
                         Marcus Ehrlich  
                         Wilhelmina Gardner  
                         Isabelle Shapiro  
                         David Shoebridge              (Deputy Chair)  
                         Fiona Sinclair King  
                         John Walker

Dear Councillors

### **Corporate & Works Committee Meeting – 6 August 2007**

In accordance with the provisions of the Local Government Act 1993, I request your attendance at a Meeting of the Council's **Corporate and Works Committee** to be held in the **Council Chambers, 536 New South Head Road, Double Bay, on Monday 6 August 2007 at 6.00pm.**

Gary James  
General Manager

# **Additional Information Relating to Committee Matters**

**Site Inspection**

**Other Matters**

## Meeting Agenda

| Item | Subject                        | Pages |
|------|--------------------------------|-------|
| 1    | Leave of Absence and Apologies |       |
| 2    | Late Correspondence            |       |
| 3    | Declarations of Interest       |       |

### Items to be Decided by this Committee using its Delegated Authority

|    |  |     |
|----|--|-----|
| D1 | Confirmation of Minutes of Meeting held on 16 July 2007  | 1   |
| D2 | Monthly Financial Report – June 2007   | 2   |
| D3 | 44B Fairfax Road, Bellevue Hill – Proposed Road Closure & Sale – 158.44B                                     | 10  |
| D4 | Roads, Traffic & Transport Principal Activity – 4 <sup>th</sup> Quarter Management Plan Review – 827.G 04-07 | 26  |
| D5 | Organisation Support Principal Activity – 4 <sup>th</sup> Quarter Management Plan Review – 827.G 04-07       | 43  |
| D6 | Environmental & Infrastructure Works Program – 4 <sup>th</sup> Quarter Management Plan Review – 827.G 04-07  | 70  |
| D7 | Reconstruction & Upgrading of the Watsons Bay Baths – 149.G Part 13  | 91  |
| D8 | Cross Street Carpark – Provision of Temporary Golf Cart Service for Transporting Patrons – 525.G             | 104 |

### Items to be Submitted to the Council for Decision with Recommendations from this Committee

|    |   |     |
|----|---|-----|
| R1 | Transfer of the Council's Public Ferry Wharves to NSW Maritime – 908.G  | 107 |
| R2 | Tender for the Supply of Tree Removal, Tree Pruning & Associated Services – Tender 07/08  | 110 |
| R3 | Statutory Review of Policy – Payment of Expenses & Provision of Facilities to the Mayor, Deputy Mayor & Councillors Policy – 18.G | 114 |

**Item No:** D1 Delegated to Committee  
**Subject:** **Confirmation of minutes of meeting held on 16 July 2007**  
**Author:** Les Windle, Manager – Governance  
**File No:** See Council Minutes  
**Reason for Report:** The Minutes of the Meeting of Monday 16 July 2007 were previously circulated. In accordance with the guidelines for Committees' operations it is now necessary that those Minutes be formally taken as read and confirmed.

**Recommendation:**

That the Minutes of the Corporate and Works Committee Meeting of 16 July 2007 be taken as read and confirmed.

Les Windle  
Manager - Governance

**Item No:** D2 Delegated to Committee  
**Subject:** **Monthly Financial Report - June 2007**  
**Author:** Tracey Walker, Financial Accountant  
Michelle Phair, Team Leader Financial Services  
**File No:** 987G  
**Reason for Report:** To present the monthly financial report for June 2007

**Recommendation:**

A. THAT the monthly financial report for June 2007 be received and noted.

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**Background:**

The monthly financial report for June 2007 is submitted to the Committee for consideration.

The monthly report includes the following:-

- Summary of Investments
- Summary of Receipts, Payments and Bank Balance

**Summary of Investments:**

The investment portfolio returns for the month of June 2007 showed Grange posting a portfolio return of 6.89% and Oakvale 6.09%. Both portfolios over the six months from January 2007 to June 2007 have outperformed benchmark with Grange achieving a return of 7.47% and Oakvale achieving 6.93%.

The Summary of Investment charts have been updated to better represent the overall performance of the investment portfolio rather than show the monthly volatility. Previously the chart showed some monthly returns below benchmark but at no stage has our cumulative return been below benchmark and this is now reflected in the charts.

The aim of the investment portfolio is to spread risk by holding a diversity of investments. While markets may be volatile from time to time the portfolio is designed to weather unstable conditions by not exposing the entire portfolio to the same market segment at any one time.

When considering the Monthly Financial Report for May 2007, the Committee resolved:

- THAT the monthly financial report for May 2007 be received and noted.*
- THAT in reporting the monthly Financial Report for June a comparison be made, in dollar terms, of the additional interest earned compared to the bench mark rate as a result of the changed Investment Policy and the move to investment advisors*

In response to Part B of that resolution, the comparative returns are provided in the table below:

**Annualised returns for January 07 to June 07:**

|                             | <b>Grange</b> | <b>Oakvale</b> | <b>TOTAL</b>   |
|-----------------------------|---------------|----------------|----------------|
| Interest Earned             | 358,769       | 278,923        | <b>637,692</b> |
| Annualised Return           | 7.47%         | 6.93%          |                |
| Benchmark                   | 6.58%         | 6.58%          |                |
|                             | 316,024       | 264,836        | <b>580,860</b> |
| Total Earned over benchmark |               |                | <b>56,832</b>  |

Monthly reports from Oakvale and Grange are attached as **ANNEXURES 1 & 2** respectively.

Michelle Phair  
Team Leader Financial Services

Tracey Walker  
Financial Accountant

Don Johnston  
Manager Finance

**INVESTMENTS AS AT 30 JUNE 2007**

| CATEGORY                  | PURCHASE DATE | MATURITY DATE | DAYS | %    | AMOUNT \$         | TOTAL \$   |
|---------------------------|---------------|---------------|------|------|-------------------|------------|
| <b>1. WMC INVESTMENTS</b> |               |               |      |      |                   |            |
| <i>COMMONWEALTH BANK</i>  |               |               |      |      |                   |            |
| ONLINE SAVER              |               |               |      | 6.15 | <u>12,907,827</u> | 12,907,827 |

| CATEGORY                                | MONTHLY RETURN ANNUALISED % | MONTHLY BENCHMARK % | MARGIN | PRINCIPAL / CAPITAL VALUE \$ | ACCRUED VALUE \$ | MARKET VALUE \$  | TOTAL \$   |
|---|-----------------------------|---------------------|--------|------------------------------|------------------|------------------|------------|
| <b>2. OAKVALE CAPITAL Limited *</b>     |                             |                     |        |                              |                  |                  |            |
| MERRILL LYNCH (DIVERSIFIED CREDIT FUND) | 5.38                        | 6.49                | -1.11  | 3,094,354                    | 5,297            | 3,099,651        |            |
| MERRILL LYNCH (ASSET BACKED SECURITY)   | 7.06                        | 6.49                | 0.57   | 1,000,000                    | 2,085            | 1,002,085        |            |
| CALYON NICKEL (MOMENTUM-CDO)            | 7.44                        | 6.49                | 0.95   | 1,000,000                    | 200              | 1,000,200        |            |
| PERPETUAL                               | 5.63                        | 6.49                | -0.86  | 3,040,621                    | 15,619           | 3,056,240        |            |
| ADELAIDE BANK AAA SAVER                 | 6.50                        | 6.49                | 0.01   | 3,926,093                    | -                | <u>3,926,093</u> | 12,084,268 |

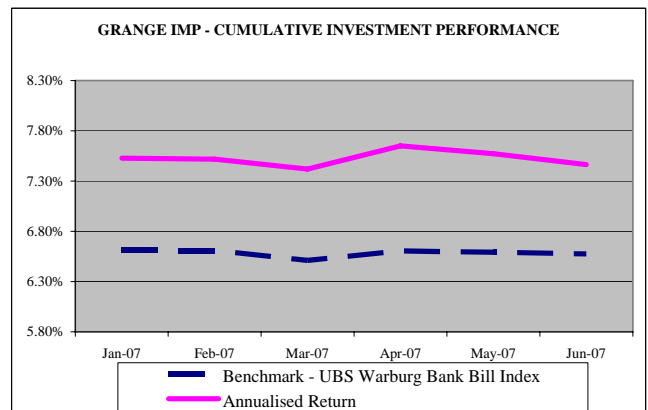
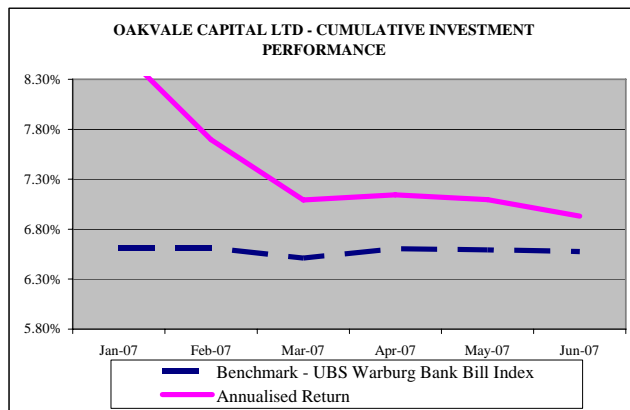
\* See Annexure 1

**3. GRANGE SECURITIES Limited**

|  |             |             |             |            |        |                   |            |
|--|-------------|-------------|-------------|------------|--------|-------------------|------------|
| Individually Managed Portfolio (IMP) * | <b>6.89</b> | <b>6.49</b> | <b>0.40</b> | 12,859,621 | 67,367 | <u>12,926,987</u> | 12,926,987 |
|--|-------------|-------------|-------------|------------|--------|-------------------|------------|

\* See Annexure 2

**GRAND TOTAL** 37,919,083



I hereby certify that the above investments have been made in accordance with Section 625 of the Local Government Act 1993, Clause 212 of the Local Government (General) Regulation 2005 and Council's investment policy.

M. Phair  
TEAM LEADER FINANCIAL SERVICES

D. Johnston  
MANAGER FINANCE

**Summary of Receipts, Payments and Bank Balance**

Cash Book Balance as at 31 May 2007 - 95,532.63

**Receipts**

Rates 1,892,437.59  
Other 14,534,125.09  
**Total Receipts** 16,426,562.68

| Description              | Amount    |
|--------------------------|-----------|
| Rates Receipts           | 1,881,025 |
| Other Debtor Receipts    | 685,514   |
| Deposits & Bonds         | 414,460   |
| Parking Fines            | 403,790   |
| S94 & S94A Contributions | 182,384   |
| Asset Disposal           | 177,236   |
| GST Refund - May         | 168,024   |
| Parking Meter            | 137,806   |
| Car Park Lease           | 114,775   |
| Trade Waste Debtors      | 87,356    |

**Payments - Cheque**

Cheque Payments (2,205,190.76)  
Cancelled Cheques 14,617.67  
**Total Cheque Payments for period** (2,190,573.09)

| Cheque No. | Cheque Date | Payee                                | Amount      |
|------------|-------------|--------------------------------------|-------------|
| 195480     | 29/06/2007  | Statewide Mutual                     | -866,690.00 |
| 195418     | 26/06/2007  | Abuild Pro Pty Ltd                   | -142,000.00 |
| 195159     | 07/06/2007  | Advanced Buildings Pty Ltd           | -97,513.17  |
| 195245     | 14/06/2007  | Energy Australia                     | -76,370.57  |
| 195255     | 14/06/2007  | Patterson Britton & Partners Pty Ltd | -69,223.66  |
| 195456     | 29/06/2007  | State Debt Recovery Office           | -65,019.90  |
| 195483     | 29/06/2007  | Security Deposit Refund              | -46,860.00  |
| 195228     | 08/06/2007  | Security Deposit Refund              | -42,000.00  |
| 195260     | 14/06/2007  | Subaru Rushcutters Bay               | -37,229.00  |
| 195325     | 21/06/2007  | E P Draffin Manufacturing Pty Ltd    | -32,395.00  |

**Payments - EFT**

EFT Payments (14,014,935.18)  
Returned EFT Payments  
**Total EFT Payments for period** (14,014,935.18)

| Reference | EFT Date   | Payee                           | Amount      |
|-----------|------------|---------------------------------|-------------|
| 14458     | 21/06/2007 | Local Govt Super Scheme-Div.A   | -123,481.40 |
| 14469     | 21/06/2007 | Ozpave (Aust) Pty Ltd           | -117,271.54 |
| 2806      | 29/06/2007 | Loan Repayment 28/6             | -115,909.90 |
| 2006      | 21/06/2007 | PAYG Tax Payment - Wk 51        | -111,749.94 |
| 14308     | 07/06/2007 | Collex Waste Management Pty Ltd | -110,618.51 |
| 14367     | 14/06/2007 | Collex Waste Management Pty Ltd | -110,618.51 |
| 1206      | 12/06/2007 | PAYG Tax Payment - Wk 49        | -100,681.19 |
| 1906      | 19/06/2007 | PAYG Tax Payment - Wk 50        | -97,853.96  |
| 2906      | 29/06/2007 | PAYG Tax Payment - Wk 52        | -96,392.14  |
| 2906      | 29/06/2007 | Interest On Loan Repayment      | -94,255.23  |

**Payments - Direct Debits From Bank A/c**

Payroll (1,184,930.92)  
Credit Card Payments (4,812.68)  
Bank Charges (21,071.04)  
**Total Direct Debits for period** (1,210,814.64)

**Total Payments** - 17,416,322.91

Cash Book Balance as at 30 June 2007 - 1,085,292.86

Unpresented Cheques No. of Cheques: 235 1,362,119.74  
Outstanding Deposits & Miscellaneous Items - 11,602.32

**Reconciled Cash Book Balance as at 30 June 2007** 265,224.56

**Bank A/c Balance as at 30 June 2007** 265,224.56

**Unpresented Cheques > \$30,000.00**

| Cheque No. | Cheque Date | Payee                      | Amount     |
|------------|-------------|----------------------------|------------|
| 195456     | 29/06/2007  | State Debt Recovery Office | 65,019.90  |
| 195480     | 29/06/2007  | Statewide Mutual           | 866,690.00 |
| 195483     | 29/06/2007  | Security Deposit Refund    | 46,860.00  |

**Item No:** D3 Delegated to Committee  
**Subject:** **44B Fairfax Road, Bellevue Hill - Proposed Road Closure and Sale**  
**Author:** Anthony Sheedy, Property Officer  
**File No:** 158.44B  
**Reason for Report:** To give consideration to the closure and subsequent sale of unmade roadway adjoining the property.

**Recommendation:**

- A. That the portion of unmade road reserve in Fairfax Road, Bellevue Hill which adjoins 44B Fairfax Rd, Bellevue Hill be valued for its market sale price, and in accordance with the adopted Corporate and Works Committee resolution of 6 November 2006.
- B. That a further report be submitted, following part A above.

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**Background:**

The Corporate and Works Committee considered this matter on 6 November 2006, where it was resolved:

- A. *That the proposal to sell a section of unmade road reserve adjoining 44B Fairfax Rd, Bellevue Hill be advertised and notified to adjoining properties.*
- B. *That a further report be submitted, following part A above.*
- C. *That the frontage to the parcel along the road frontage to Fairfax Road be limited to 7.6 metres and return to the north eastern boundary of the 44B Fairfax Rd property.*

Council has received a request from Mr Clive Carroll, owner of 44B Fairfax Road, Bellevue Hill to purchase an oblong shaped section of unmade road adjoining the owner's property (Annexure 2). In accordance with part C of the resolution of 6/11/07, the portions dimensions and consequently area has been reduced from approximately 75 to 56.5 square metres. An application is being made to purchase so that the existing concrete driveway slab can be widened to form a new entrance landing to the property.

Pursuant to Council resolution of 6 November 2006, an advertisement was placed in the Wentworth Courier of 22 November 2006 calling for any public submissions to be made within 28 days of the public notice. Neighbours within a 50 metre radius of the subject land were also issued a letter and plan detailing Council's proposal to close and sell the unmade road portion to the adjoining owner of 44B Fairfax Road, Bellevue Hill (Annexure 1).

Two (2) responses were received by Council. One was seeking further information about the proposal, and the other was a qualified objection as follows:

*Respondent 1*

A call was received on 13 December 2006 from the neighbouring resident of 44 Fairfax Rd, Mr Colin Reid. He had received Council's notification about the proposal and was concerned about the 'right of way' (ROW) access for 44, 44A, 46, 48, and 50 being kept open with regard to the 'approach access' of the Fairfax Rd driveway.

I note that this ROW access referred to by Mr Reid is a narrow driveway located on the northern boundary of 44B, which he uses for rear access to his property. I assured Mr Reid that the Council had resolved on 6/11/06 to limit the Fairfax Road frontage of the unmade road parcel for sale to 7.6 metres and then return its boundary to the north eastern corner of the 44B Fairfax Rd property. I further explained that this action by Council ensures that Mr Reid would have continued and unfettered access to the ROW and his rear property boundary.

*Respondent 2*

A letter was received from the owners of 50 Fairfax Rd, on 14 December 2006 (Annexure 3). The proximity of this objector to the subject land parcel is shown in Annexure 5.

They state that “Fairfax Road is a dead end and does not have appropriate facilities for turning vehicles around...[and that] sale of this land will preclude provision of an appropriate turning area and is therefore strongly opposed by us”. However, they were not opposed to sale “of part of the road immediately in front of the subject site’s garages, subject to any proceeds from the sale being applied to improvements to the road at the dead end in order to facilitate manoeuvring and turning of vehicles.”

The owners “believe that prior to such sale the applicant and/or Council should prepare and consider the design of such improvements (facilitate turning vehicles) and so demonstrate to all the residents who live and use that dead end of Fairfax Road that such movement will be possible once such sale and proposed works are concluded.”

Qualified objection to the proposal is also cited on the basis “that there is limited visual exposure from the current private driveways of Nos. 44, 44A, 46, 48, 50, 52, 54, 56, 58. If this is not designed for and addressed during the proposed sale and improvements of that part of the road then the further reduced visibility will be impacted in such way that it will become life threatening for all vehicular and pedestrian user of this part of the road. This will expose Council to potential liability claims in this regard.”

The owners of 50 Fairfax Rd have sought advice from traffic engineers Transport and Traffic Planning Associates (TTPA) who they believe concluded in their report that the proposed sale of land is not in the public interest, does not address the issues, visibility, safety, pedestrian amenity or vehicle manoeuvring (Annexure 4). To that end TTPA have further detailed in their report (see Visibility Study) a reduced parcel size which they believe would be more appropriate to the site.

The report of Transport and Traffic Planning Associates was referred to Council’s Manager of Public Infrastructure for his further comment. In the email of 16/3/07 he stated:

“The traffic report emphasises two matters with respect to the proposed sale and the extent of land to be annexed, namely:

1. This should be lessened to permit turning of vehicles in Fairfax Rd.
2. This should be lessened to provide sight distance for motorists exiting the adjacent battle-axe blocks.

The reduced size of annexed land as shown in the consultant's drawings will not improve turning as there is no need for vehicles to swerve to the left before performing a three-point turn.

Given the low vehicle volumes in this street, and the low vehicle speeds at this dead-end in Fairfax Road, the claim that more sight distance is required is not valid.” (Annexure 6)

There are no Council plans to widen this cul de sac area of Fairfax Rd, however the Manager of Public Infrastructure has stated that he would not support the sale of any further land north of the parcel now proposed for sale, thus maintaining the existing vehicle turning circle.

I note that Council's traffic engineers have determined that it is possible for notional 85<sup>th</sup> percentile vehicles to achieve safe turning paths in the Fairfax Rd cul de sac if the Council's proposed land sale proceeds (Annexure 6).

The Development Application (DA 694/2005/1) for this single residential dwelling proposes development of an enlarged Entry Lobby and improved external landing on the Fairfax Road property boundary, including construction of a new Master Bedroom above the existing Dining Room, with a Roof Terrace and associated landscaping. This proposal also involves construction of a new bathroom off the existing First Floor open corridor, a new plunge pool and terraced landscaping including associated site works. This substantial development is estimated to cost \$197,500.

The proposed sale of the unmade road reserve directly impacts upon the Applicant's development of an enlarged Entry Lobby, as the concrete driveway slab which is constructed on the unmade road reserve would also need to be enlarged because of the steeply sloping topography off Fairfax Rd. If the applicant is unable to purchase a portion of the road reserve then they will not be able to enlarge the Entry Lobby.

On balance, Council Property staff believe that the proposed portion of unmade road for sale will not contribute to a further loss of sight distance as the only vertical building element proposed is the Entry Lobby works, and they are only on or behind the existing property boundary being some 5m back from the road kerb. The sharp rake of the sale parcel back to the north eastern boundary of 44B Fairfax Rd and steeply sloping topography also precludes any future development, which may interfere with sight distance to the rear access driveway or disrupt the available vehicle turning circle at the end of the Fairfax Rd cul de sac.

The next step in this process is for Council to have the subject land valued. Following the property valuation, a letter will be sent to the purchaser advising them of Council's proposed sale price.

A written agreement will be sought from the purchaser to proceed with the sale at the land valuation price, and upon obtaining agreement a further report back to Council advising of the purchaser's intention.

The owner has agreed to pay all Council's costs in connection with purchase of the unmade road portion.

### **Conclusion:**

The steeply sloping topography of the land makes the subject land practically unusable for general pedestrian access over the unmade road reserve, except along the existing concrete footpath adjoining the Fairfax Road kerb.

There are no Council plans to widen Fairfax Road at this location, and notwithstanding the objection received the existing vehicle turning circle is considered adequate. The cost of roadworks would be substantial and of little benefit, as the adjoining property owner of 44A has already purchased the road reserve out to the boundary of the pedestrian footpath.

Council resolved on 6/11/06 to limit the Fairfax Rd frontage of the subject parcel to 7.6 metres and return its boundary to the north eastern perimeter of the 44B Fairfax Rd property. These dimensions are considered appropriate by Council Property staff, and we believe the objector has not provided a sustainable reason to reduce the parcel size further. It is further proposed that the existing public footpath adjoining the site remains in Council ownership, so there is no loss of public amenity.

The proposed sale of the unmade road reserve directly impacts upon the Applicants development of an enlarged Entry Lobby, as the concrete driveway slab which sits on the unmade road reserve would also need to be enlarged because of the steeply sloping topography off Fairfax Rd. If the applicant is unable to purchase a portion of the road reserve then they will not be able to enlarge the Entry Lobby.

Should the Corporate and Works Committee agree to proceed with this proposal following discussion of the advertisement submissions received, it is recommended in accordance with the policy for Sale of Council Land that in the first instance the proposal be valued for its market sale price and a further report be submitted.

Anthony Sheedy  
Property Officer

Warwick Hatton  
Director, Technical Services

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**ANNEXURES:**

1. Site Area map showing those properties within a 50m radius of subject and directly notified of proposed sale.
2. Advertised Plan of proposed land sale - Bensen & Partners, Architectural plan 'Garage/Entry Level' amended in accordance with Council resolution part C of 6/11/07, and showing the proposed unmade road parcel for sale adjoining 44B Fairfax Rd, Bellevue Hill.
3. Copy of letter of objection from the owners of 50 Fairfax Rd, Bellevue Hill.
4. Report of Transport and Traffic Planning Associates.
5. Objector Proximity to subject land parcel.
6. Sketch indicating turning path for 85th percentile vehicles if Council proposed land sale proceeds.

**Item No:** D4 Delegated to Committee  
**Subject:** **Roads, Traffic and Transport Principal Activity - 4<sup>th</sup> Quarter Management Plan Review**  
**Author:** Warwick Hatton - Director Technical Services  
**File No:** 827.G 04-07  
**Reason for Report:** To review the status of works, services, and Notices of Motion for the Management Plan principal activity of Roads, Traffic & Transport for the year ending 30 June 2007

**Recommendation:**

- A. That the status of projects for the Roads, Traffic & Transport principal activity be noted.
- B. That the variations to projects be agreed subject to adoption of the relevant budget variations included in the separately reported end of year financial review.

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**Background:**

Section 407(1) of the Local Government Act requires that Council review the progress of the adopted management plan on a quarterly basis. Included with this report is the fourth quarterly review of Principal Activity No 3 of the Management Plan, which is "Roads, Traffic and Transport". This principal activity has the following sub- activities:

- 3.1 Road and Infrastructure Asset Management
- 3.2 Maintenance and Construction
- 3.3 Traffic and Transport Management
- 3.4 Parking
- 3.5 Other Transport Facilities
- 3.6 Streetscape

Included as an Annexure to this report is the Roads, Traffic & Transport Principal Activity of the Management Plan with detailed comments on the status of items in each sub activity

The Annexures include all the details whereas set out in the following part of this report is a commentary on variations, changes, exceptions, completed work, achievements, etc, the purpose being to provide Councillors with a snapshot of the key influences or issues arising from this quarterly review.

"Notices of Motion" which have a major impact on approved management plan core activities and projects have been included in the management plan as variations so as to facilitate the changing of priorities in an orderly and transparent manner.

Comments on budget variations where they are material or have an impact on the program of works or projects may be included in this report. However, the budget review and confirmation of any changed forecast will be considered in a separate budget report which reviews the overall financial position of the Council at the end of the year.

Following is the commentary on each sub activity:

### **3.1 Road and Infrastructure Asset Management**

Implementation of the asset renewal strategy was carried out to schedule. The condition of road infrastructure assets was reviewed. The road infrastructure asset models are currently under review. Survey and investigation of retaining walls in roads is under way.

### **3.2 Maintenance and Construction**

All routine maintenance activities and programmed capital works were carried out in accordance with the Management Plan targets. Proactive footpath inspections and maintenance programs were commenced and continue. Based on the proactive defects register, the footpath trip hazard program is being implemented.

Footpath reconstruction was carried out in the following streets:

Queen St, Woollahra, Moncur St to Spicer St  
Forth St, Woollahra, entire street both sides  
Old South Head Road, Vaucluse, Belah St to NSH Rd  
New McLean St, and from New McLean St to Cameron St, Edgecliff

Resheeting works were completed in:

Ocean St, Edgecliff from High St to NSH Rd  
Cecil Lane, Paddington, Hampden St to End  
Glenmore Rd, Paddington, Cascade St to Walker St  
Glenmore Rd, Paddington, Brown St to Ormond St  
Hoddle St Paddington, Glenmore Rd to Goodhope St  
Fitzwilliam Rd Vaucluse, Wentworth Rd to the End  
Bellevue Rd, Bellevue Hill, Various places from Rivers St to Fairfax St

25 pram ramps were completed during the year.

Capital works projects which were completed as part of the Infrastructure Renewal Program are reported in the Environmental and Infrastructure Works Program.

### **3.3 Traffic and Transport Management**

The impact of the Cross City Tunnel continued to be monitored. The RTA's report will be made public in September 2007. Following this a report will be submitted to the Community & Environment Committee.

Bellevue Hill Shopping Centre LATM works were designed and constructed. Design for Edgecliff Road pedestrian refuge, and Brown Street/Glenmore Road pedestrian facilities design were completed, with works scheduled to be completed in 4<sup>th</sup> quarter.

Hopetoun Avenue Traffic Calming and Bike Route plans were exhibited, and construction was commenced

### **3.4 Parking**

All No Standing signs in Woollahra were replaced with No Parking or No Stopping in accordance with RTA directives, and the GIS database was updated accordingly.

Weekend resident parking in Elanora Street, Manion Avenue and Iluka Street was expanded to include weekdays. A detailed study and review of the Woollahra 1 Resident Permit Parking Area was carried out and was submitted to Council in July. Further reports on other resident parking are under way.

### **3.5 Other Transport Facilities**

Bike Routes 9, 25 and 38 were completed. Civil works for Bike Route 34 are 80% completed. Signs for Route 1 have been ordered. Linemarking and civil works for Route 40 commenced, due for completion in first quarter 2007/2008. Route 4 will be completed once the shelter has been installed at intersection of Victoria Rd and Old South Head Rd. The shelter is to be installed in August 2007.

A status report on the handover and ongoing services of ferry wharves by the State Government was submitted to Council in November 2006. Protracted negotiations followed on the terms of the agreement to transfer ownership and services to be provided by Council. A draft document has been received and will be reported on to Council in August.

### **3.6 Streetscape**

Bus shelter relocation at Military Road, Watsons Bay, has been discussed at length with Sydney Buses. A report will be provided once we obtain approval from Sydney Buses. The Glenmore Road shelter was installed, and orders placed for shelters in seven other locations. Modified designs for shelters at Etham Avenue and Lyne Park are being prepared.

Contracts were let for the Five Ways streetscape project and for the footway reconstruction and balustrade restoration at the Rose Bay Promenade. Negotiations are being finalised with Energy Australia regarding under-grounding of power lines at Five Ways. Construction has commenced at the Rose Bay Promenade.

Design for the Oxford Streetscape upgrade between Glenmore Lane and Comber Street completed, subject to negotiations with owners of 86 Oxford Street regarding alteration of footpath levels. Construction tenders to be called following completion of the design in the 1<sup>st</sup> quarter of 2007/2008.

Warwick Hatton  
**Director Technical Services**

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#### **Annexures:**

1. June 2007 Quarterly Review of Principal Activity: Roads, Traffic and Transport
2. June 2007 Quarterly Review of Outstanding Notices of Motion, Roads, Traffic and Transport

**Item No:** D5 Delegated to Committee

**Subject:** **Organisation Support Principal Activity - 4<sup>th</sup> Quarter Management Plan Review**

**Author:** Geoff Clarke - Director Corporate Services  
Warwick Hatton - Director Technical Services

**File No:**

**Reason for Report:** To review the status of works, services, and Notices of Motion for the Management Plan principal activity of Organisation Support for the year ending 30 June 2007

**Recommendation:**

- A. That the status of projects for the Organisational Support principal activity be noted.
- B. That the variations to projects be agreed subject to adoption of the relevant budget variations included in the separately reported end of year financial review.

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**Background:**

Section 407(1) of the Local Government Act requires that Council review the progress of the adopted management plan on a quarterly basis. Included with this report is the fourth quarterly review of Principal Activity No 7 of the Management Plan, which is "Organisation Support". This principal activity has the following sub- activities:

- 7.1 Governance and Records Management
- 7.2 Finance
- 7.3 Risk Management
- 7.4 Human Resources
- 7.5 Information Technology
- 7.6 Property Management
- 7.7 Management Executive
- 7.8 Technical Services Management
- 7.9 Technical Services Operations

Included as annexure to this report are:

- 1. The Organisation Support Principal activity of the Management Plan with detailed comments on the status of items in each sub activity
- 2. Any uncompleted adopted "Notices of Motion" related to the Organisation Support principal activity

The annexures include all the details whereas set out in the following part of this report is a commentary on variations, changes, exception, completed work, achievements, etc. The purpose being to provide Councillors with a snapshot on the key influences or issues arising from this quarterly review.

"Notices of Motion" which have a major impact on approved management plan core activities and projects have been included in the management plan as variations so as to facilitate the changing of priorities in an orderly and transparent manner.

Comments on budget variations where they are material or have an impact on the program of works or projects may be included in this report. However the budget review and confirmation of any changed forecast will be considered in a separate budget report which reviews the overall financial position of the Council at the end of the year.

Following is the commentary on each sub activity

### **7.1 Governance and Records Management**

This sub-activity covers the areas of governance, committee, council and councillor support, and records management. The review of the privacy management plan has been put back until the end of the September quarter in the new management plan year to allow for inclusion of industry wide review to be incorporated. The review of Sub Committee operations and procedures (sub committees with external members only) is in progress and planned for completion in September. A compliance audit of public registers was completed.

Some delays in records management projects have been experienced due to the appointment of the Records and Documents Manager to Manager Customer Services. Appointment of a Records Management Team Leader was finalised in June. Routine records management activities have continued. The implementation of the document management system has been scheduled for the first quarter 2007/08.

### **7.2 Finance**

The focus in the June quarter was the finalisation of the budget for 2007/2008. All routine and project activities have been completed in accordance with the Management Plan targets. Implementation of new investment strategy was completed during the year,

### **7.3 Risk Management**

Projects and core activities proceeded in accordance with the revised management plan targets. During the year a significant amount of effort was placed on prevention activities and the underlying support systems.

This year has seen the completion of a comprehensive risk management plan and the development of risk action plan by managers. A risk management systems audit, a physical hazards audit, an OH&S self audit, a public liability audit and various compliance audits were completed during the year. Hearing screening, vision screening, skin cancer screening, and immunisation of identified staff were completed.

### **7.4 Human Resources**

Projects and core activities are generally proceeding in accordance with management plan targets. Implementation of the new Human Resource Information System continues. Payroll and recruitment module went live during the year. Employee self service prototype has been delivered and development and review is being finalised. First draft AWAs and standard collective agreement have been completed for internal review.

### **7.5 Information Technology**

During the year all desktop and laptop computers and printers were replaced. Upgrades to security, operating system, and directory and network software were completed. Upgrades to major system software for the Authority, E-services, Finance One, and Library software were completed. Technical infrastructure for the new HR system was installed and data migrated to the new system.

New technical infrastructure for the Council website along with a new content management system was implemented.

## **7.6 Property Management**

The sale of the Waverley & Woollahra Process Plant to Landcom was completed. Legal agreements for the Cosmopolitan Centre ground lease have been completed by Council and are awaiting signoff from Gloxinia.

The third Councillor Workshop facilitated by Elton Consulting for the Property Asset Study was held in June. A meeting will now be arranged in August with the Assets Working Party to progress the investigation options agreed at the workshop.

The external painting of the Library building was completed, waterproofing and retiling of the Grimley Pavilion was completed and Lyne Park change rooms were refurbished. The building structures at 9A Cooper Park Road property and the Rovers Hut were demolished and all flammable building material removed from the sites.

Parts for repairs to the flood damaged lift at Cross St carpark have been ordered. Schindler Lifts have advised that the lift is scheduled for re-commissioning in October 2007.

The repairs and restoration works to the old STA bus shelters are underway and programmed to be completed by end of July 2007. A new bus shelter was installed at Glenmore Road, Paddington. Seven new shelters have been ordered for installation at the following locations: New South Head Rd east of Mahoney Lane, Victoria Road near Old South Head Road, Hargrave Street east of Elizabeth St, Ocean Street between Jersey Rd & Trelawney St, New South Head Rd west of Salisbury Rd, Fitzwilliam Rd north of Parsley Rd, Ocean Street north of Trelawney St

## **7.7 Management Executive**

Systematic reviews within Divisions saw the review of Customer Service and Records function in Corporate Services, Reviews of the Ranger Services and DA referral process were completed in the Planning and Development Division. A review of the Aged and Disability services function was completed in the Community Services Division.

## **7.8 Technical Services Management**

Reviews and updates of procedures were completed in a number of departments. Notably, procurement, including tendering, procedures were reviewed and a staff training program was carried out. Some further refining of tendering procedures with respect to selection criteria and probity management is under way.

## **7.9 Technical Services Operations**

Recommended organisational changes in Civil Works were implemented. Recruiting of staff continues as not all vacancies were initially able to be filled.

The Amis reporting system was expanded in Parks and Civil Works areas.  
A minor works schedule of rates tender was called for Parks and Street Trees operations, and a civil works schedule of rates tender document has been developed to be put to tender shortly.

Geoff Clarke  
Director - Corporate Services

Warwick Hatton  
Director - Technical Services

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**Annexures:**

1. June 2007 quarterly review of principal activity: Organisation Support
2. June 2007 quarterly review of Outstanding Notices of Motion Organisation Support

**Item No:** D6 Delegated to Committee  
**Subject:** **Environmental and Infrastructure Works Program - 4<sup>th</sup> Quarter Management Plan Review**  
**Author:** Warwick Hatton - Director Technical Services  
**File No:** 827.G 04-07  
**Reason for Report:** To review the status of works, services and projects for the Management Plan principal activity 8.0 Environmental and Infrastructure Works Program for the year ending 30 June 2007.

**Recommendation:**

- A. That the status of projects for the principal activity 8.0 Environmental and Infrastructure Works Program be noted.
- B. That the variations to projects be agreed, subject to adoption of the relevant budget variations included in the separately reported end of year financial review.

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**Background:**

Section 407(1) of the Local Government Act requires that Council review the progress of the adopted Management Plan on a quarterly basis. Included with this report is the fourth quarterly review of Principal Activity No 8 of the Management Plan, which is the "Environmental and Infrastructure Works Program". This principal activity has the following sub-activities:

- 8.1 Administration and auditing
- 8.2 Water Quality "at source" treatment program
- 8.3 Water quality "end of line" treatment program
- 8.4 Watercourse and bushland vegetation treatment program
- 8.5 Stormwater Drainage
- 8.6 Road pavements
- 8.7 Footpaths
- 8.8 Kerb & guttering
- 8.9 Seawalls
- 8.10 Retaining walls

The Annexure includes all the details for this principal activity, whereas, set out in the following part of this report is a commentary on variations, changes, exception, completed works, achievements, etc. The purpose being to provide Councillors with a snapshot of the key influences or issues arising from this quarterly review.

Comments on budget variations, where they are material or have an impact on the program of works or projects, may be included in this report. However, the budget review and confirmation of any changed forecast will be considered in a separate budget report, which reviews the overall financial position of the Council at the end of the quarter. It should be noted that this program is funded from a special rate levy and needs to meet the special rate requirements when it comes to variations and changes

Following is the commentary on each sub activity:

## **8.1 Administration and Auditing**

The Environmental Works Program (EWP) requires project management support to deliver the program. The following is a brief outline for the year:

- Over fifteen projects were actively managed over the year.
- An Environmental Works brochure was issued with the first rates notice.
- Media releases were issued throughout the year in the Wentworth Courier raising awareness to Council's commitment to the natural environment.
- The Environmental Levy Community Reference Group met on three occasions.
- The Development of EWP material for the new Council web site continued to grow during the year, in particular the last quarter, with the appointment of a Temporary Part Time Environmental Education Officer taking over the responsibility in updating the Environmental component on the web site.
- The Spill Response Procedure was finalised and handed over to Civil Works.
- Grant applications were made for Community Water Grants, Estuary Management Grants, the Our Environment: It's a Living Thing Education Program and the DEC Urban Sustainability Program, resulting in a grant totalling \$1.88M (over three years) from the Urban Sustainability Program to a regional alliance consisting of Waverley, Randwick and Woollahra Councils.

## **8.2 Water Quality "at source" Treatment Program**

The objectives of this program are to prevent pollutants, litter, vegetation matter and sediment entering the Harbour. Targeted education programs and installation of water quality devices, such as stormwater inlet pit baskets, are the types of projects that meet this objective.

Achievements over the year:

- A Part Time Environmental Education Officer was appointed on a 12 month contract to implement the EWP environmental education program.
- EEAP activities have focused on five target groups: residents, council staff, schools, community groups and businesses. Key projects have included the Community Environmental Grants, Gutter talk' information days and a 'new for old broom trade-in', a schools Environmental Educators' Network and webpage, publishing of the second edition of the 'Our Environment' community newsletter and active participation in key environmental events such as World Environment Day and the National Day of Action on cigarette butt litter.
- In the last quarter a contract let to install cigarette disposal bins at targeted hot spots in key business districts including bus stops and commercial centres.
- Water Sensitive Urban Design has been included in the Rose Bay Promenade upgrade project with construction works commencing at end of the quarter. WSUD encompasses new technologies and methods for treating stormwater by filtering a large range of pollutants at source, including heavy metals. The parking bays along New South Head Road with be replaced with porous pavers for stormwater treatment with storage tanks installed below to re-use treated stormwater for irrigation of the fig trees along the promenade.

## **8.3 Water Quality "End of Line" Treatment Program**

The objectives of this program are to prevent pollutants, litter, vegetation matter and sediment entering the Harbour. This may be achieved by projects such as installation of larger water quality devices, such as GPT's and Stormwater Booms, constructed low in the catchment, at the end of the stormwater network, prior to discharging into the Harbour.

Achievements over the year:

- A draft report with recommendations to improve foreshore cleaning services was issued to the Environmental Levy Reference Group. Recommendations have been budgeted for in the revised EWP 2007/08 program to be implemented accordingly.
- Biotrack Australia Pty Ltd, the private consultant operating at Macquarie University which developed the Water Quality Treatment program in the main creek tributaries of Cooper Park and Parsley Bay Reserve, no longer operates. The program is now under review to ascertain who can continue to collect samples and maintain the database. Further investigations into the program will be made and reported to Council next financial year.

#### **8.4 Watercourse and Bushland Vegetation Treatment Program**

The objective of this program is to prevent uncontrolled run-off, erosion, nutrient transport and weed intrusion into remnant bushland.

Achievements over the year:

- Contracts were let for the design and construction of two new pollution control devices including; upstream of Queens Ave, Hermitage Reserve, and Harbour View Park have been received. Work will commence early next financial year.
- Primary weed removal on the western sandstone outcrop in Parsley Bay has been completed and crushed sandstone imported to allow planting of new native tub stock.
- Quotations were called for the removal of asparagus weed along the cliff edge of Gap Park. However, due to the OHS considerations, the project has had to be cancelled. An alternate project is now being investigated.

#### **8.5 Stormwater Drainage**

The objective of this program is to prevent local flooding of flood-affected properties and to minimise the level of pollution reaching streams and watercourses by reducing uncontrolled overland flows.

Achievements over the year:

- A strategy was adopted for drainage upgrades and water quality treatment for the catchment draining to Parsley Bay. Detailed design and tender documents for the drainage works and water quality treatment for The Crescent, Vaucluse, were 90% completed.
- Construction works were completed in Cliff Street, Watsons Bay, to upgrade the drainage infrastructure and lower the road level to improve overland flow to alleviate flooding impacts.
- Flood study for Rushcutters Bay has been completed and adopted by Council.
- Double Bay Catchment Flood Study survey was completed, flood modelling was completed and the overall study 95% complete.
- Received a grant for the Rose Bay Flood Study and consultant commissioned.
- Sediment sampling was collected for Cooper Park Water Quality Pond and stormwater treatment and ancillary environmental works. Results determined the best option for disposal of the sediment will be to a licensed land fill site. The project was finally scoped with a draft consultant's brief prepared for a suitable consultant to carry out design and specification documentation to allow tenders to be called early in the 2007-08 financial year.

### **8.6-8.10 Infrastructure Renewal Projects (includes 8.6 Road Pavements, 8.7 Footpaths, 8.8 Kerb and Guttering, 8.9 Seawalls and 8.10 Retaining Walls)**

Achievements over the year for the Infrastructure Renewal Projects completed:

#### *Road Reconstruction Projects including kerb and gutter and Stormwater Drainage Works:*

- Annandale Street, Darling Point.
- Courtenay Road & Mitchell Road, Rose Bay.
- Fletcher Street, Woollahra.
- Magney Street, Woollahra.
- Ocean Street, Woollahra.
- Benelong Crescent, Bellevue Hill.
- Queen Street Post Office, Woollahra.

#### *Road reconstruction and resurfacing:*

- Edgecliff Road, Woollahra.
- Wingadaal Place, Point Piper.
- Ocean Street, Edgecliff.
- Fitzwilliam Road, Vaucluse.
- Glenmore Road, Paddington.
- Hoddle Street, Paddington.
- Kiaora Road, Double Bay.
- Victoria Road, Bellevue Hill.
- Cecil Lane, Paddington.
- Cascade/Hargrave St Intersection, Paddington.
- Barcom Avenue, Paddington.
- Ocean Avenue, Double Bay.
- Gurner Street, Paddington.

#### *Footpath Reconstruction:*

- Forth Street, Woollahra.
- Old South Head Road, Vaucluse.
- Ormond Street, Paddington.
- Queen Street, Woollahra.

#### *Stormwater Drainage Works and Investigations:*

- Kiaora Road, Double Bay.
- DRAINS Modelling Study.
- CCTV database setup and implementation.

#### *Seawall Reconstruction:*

- Dumaresq Reserve, Rose Bay.
- Duff Reserve, Point Piper.
- Yarranabbe Park, Darling Point.

#### *Retaining Wall Reconstruction:*

- Drumalbyn Road, Bellevue Hill.

Tenders were invited and contracts awarded for a number of projects which are programmed or currently being constructed. It is expected that these projects will be completed in the 1<sup>st</sup> quarter of 2007. These projects are:

- Wentworth Road – Road Infrastructure Reconstruction, Vacluse.
- Caledonia Street – Road Infrastructure Reconstruction, Paddington.
- Blaxland Road – Road Infrastructure Reconstruction, Bellevue Hill.
- Brown Street Pedestrian Crossing, Paddington.

Public consultation, design and tender documentation for projects was completed or was under way for works to be carried out in the 1<sup>st</sup> half of 2007/08. These projects are:

- Kiaora Lane/Anderson Street – Road Infrastructure Reconstruction and Streetscape Upgrade, Double Bay.
- Duxford Street – Road Infrastructure Reconstruction, Paddington.
- Gipps Street/Shadforth Street – Footpath Reconstruction, Paddington.
- Queen Street – Footpath Reconstruction, Paddington.
- Wingadal Place – Seawall Reconstruction, Point Piper.
- Hopetoun Ave – Embankment Stabilisation, Vacluse.
- Johnstons Lookout – Retaining Wall Reconstruction, Vacluse.

Warwick Hatton  
Director Technical Services

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**Annexures:**

1. June 2007 Quarterly Review of Principal Activity: Environmental Works Program

**Item No:** D7 Delegated to Committee  
**Subject:** **Reconstruction and Upgrading of the Watsons Bay Baths**  
**Author:** Greg Stewart - Project Manager Strategic Projects and Policy  
**File No:** 149.G Part 13  
**Reason for Report:** To report on the submissions received in response to the public exhibition of the concept design developed for the reconstruction and upgrading of the Watsons Bay Baths.

**Recommendation:**

- A That Council proceed with the detailed design for the reconstruction and upgrading of the Watsons Bay Baths including the submission of a Development Application for the works, such to include the removal of the arch wall and boardwalk between the inner and outer pool and the provision of a shade structure in the south eastern corner of the pool.
- B. That during the detailed design process, the option of providing a hoist and a water access wheelchair for use by persons with a disability be fully explored including options that may be available to minimise ongoing maintenance and repair costs, and
- C. That State and Federal grant funding be sought for the reconstruction and upgrading of the Baths.

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**Background:**

At its meeting of 12 March, 2007 when considering a report on the concept design that had been developed by the Watsons Bay Baths Working Party for the reconstruction and upgrading of the Watsons Bay Baths, Council resolved as follows:

- A. That the concept design developed for the reconstruction and upgrading of the Watsons Bay Baths be placed on public exhibition for a minimum period of 28 days.*
- B. That, during the exhibition period, advice be sought from Spinal Cord Injuries Australia and the Spastic Centre on the suitability of the proposed disabled access to the Baths.*
- C. That, on completion of the exhibition period, a further report be submitted to Council on the results of the public exhibition.*
- D. That subject to Item F, an amount of \$1.58 million be included in the draft 2007 / 2008 Capital Budget for consideration by Council for the upgrading of the Watsons Bay Baths.*
- E. That State and Federal grant funding be sought for the reconstruction and upgrading of the Baths.*
- F. That the funding of the capital cost be a matter of consideration when the Council considers the use of the funds from the Waverley Woollahra Process Plant sale."*

The following information is provided in response to this resolution.

## **Public Exhibition of the Concept Design**

The concept design developed by the Watsons Bay Baths Working Party for the reconstruction and upgrading of the Watsons Bay Baths was placed on public exhibition at the Council Chambers and at Dunbar House Library, Watsons Bay between 4 April and the 4 May, 2007. The closing date for the receipt of submissions was 7 May, 2007.

Copies of the plans that were placed on public exhibition are attached as Annexure 1. Larger scale plans will be available at the Committee meeting.

## **Details and comments on the Submissions received**

A total of eight submissions was received in response to the public exhibition of the proposal.

A summary of the submissions received together with comments on the issues raised in each of these submissions is attached as Annexure 2.

## **Consideration of the submissions received**

From this summary attached as Annexure 2, it can be seen that the two main issues of concern raised in the submissions received, relate to the proposed removal of the arch wall and boardwalk between the inner and outer pools and the proposed installation of a shade structure in the south eastern corner of the Baths.

In developing the concept design for the reconstruction and upgrading of the Baths, it was view of the members of the Watsons Bay Working Party that the removal of the arch wall and boardwalk between the inner and outer pools would not only significantly improve views of the harbour from the foreshore promenade and the adjacent Watsons Bay Tea Rooms but would also significantly reduce the capital cost and ongoing maintenance cost of the Baths. For these reasons, it was decided that the arch wall and boardwalk between the inner and outer pools should be removed as part of the proposed reconstruction and upgrading works.

In relation to the proposed shade structure in the south eastern corner of the Baths, apart from a small section of the foreshore promenade and a portion of the northern boardwalk adjacent to the Vaucluse Yacht Club, there are no areas of shade within the perimeter of the Baths. The provision of a shade structure therefore will provide a much needed area of shade within the perimeter of the Baths. The location of the proposed shade structure in the south eastern corner of the Baths has been selected as it will occupy an area of the Baths which is least suitable for swimming due to the existing rock outcrops, will not obstruct pedestrian movement within the Baths and along the boardwalks, is centrally located with access to the southern boardwalk and the foreshore and will not impact on the views of the adjoining properties.

For the reasons stated above, and as there is community support for the reconstruction and upgrading of the Baths, **it is recommended** that Council proceed with the detailed design for the reconstruction and upgrading of the Baths and the submission of a Development Application for the works, such to incorporate the removal of the arch wall and boardwalk between the inner and outer pool and the provision of a shade structure in the south eastern corner of the pool.

## **Comments received from Spinal Cord Injuries Australia and the Spastic Centre**

In accordance with Part B of the above Council's resolution, contact has been made with Spinal Cord Injuries Australia and the Spastic Centre to arrange a meeting to obtain their comments and advice on the suitability of the proposed disabled access to the Baths. Although a meeting has subsequently been held with Spinal Cord Injuries Australia, a meeting date is still to be arranged with the Spastic Centre. This matter will be followed up in conjunction with the preparation of the detailed design plans and documentation for this project.

The following comment has been received from Spinal Cord Injuries Australia:

*"The inclusion of access to the water for people with disabilities is exciting, as it fills a gap in the Eastern Suburbs. For wheelchair users it's a case of water everywhere but not a place to swim. The existing ramp at Watsons Bay hasn't provided sufficient access as it ends on the sand or in the shallows for much of the time.*

*The proposal provides access in such a way that swimmers with disabilities will not need to check the tidal charts before they venture out. The staged ramp entry to the water allows wheelchair users access to the water at any time.*

*A few things come to mind to ensure the best access:*

*\* will the proposal include a hoist? Wheelchair users will need to get from their chair to the water. Some will be able to transfer from their chair onto the ramp and into the water. Others will need to be assisted into and out of the water. An example of the type of device is @ [www.wymo.com.au/db/Products/PoolandSpaAccessHoist/tabid/191/Default.aspx](http://www.wymo.com.au/db/Products/PoolandSpaAccessHoist/tabid/191/Default.aspx). To deter vandals a hoist could be installed in a canopy locked with the MLAK. Some also have a stem that can be removed and kept in place only at times when vandalism is unlikely.*

*\* can a water access wheelchair be provided? This could be available on loan and managed by the tea rooms, sailing club or pilot station. An example of this type of wheelchair is @ [www.achievableconcepts.com.au/Aust%20website/aust\\_front.htm](http://www.achievableconcepts.com.au/Aust%20website/aust_front.htm)*

*\* will the ramp to the water go to a sufficient depth so that anyone using a water wheelchair will reach a buoyancy level?*

*\* are the changerooms at the tearooms accessible? Is there a shower in an accessible cubicle fitted with a seat?*

*Please keep me informed of the progress of this proposal, and feel free to consult SCI Australia further about it."*

## **Response to the issues raised by Spinal Cord Injuries Australia**

The following information is provided in response to the issues raised by Spinal Cord Injuries Australia:

*Provision of a hoist*

Although the proposal as exhibited does not include the provision of a hoist for use by persons with a disability, it is considered that the provision of a hoist would improve access to the water for persons with a disability and would be a worthwhile addition to the proposal.

The main concern with the provision of a hoist is the likely high maintenance costs that could be incurred by Council due to vandalism or misuse.

**It is, therefore, recommended** that as part of the detailed design and documentation of this project, that the option of providing a hoist for use by persons with a disability be fully explored, such to include options that may be available to minimise ongoing maintenance and repair costs.

*Provision of a water access wheelchair*

As part of detailed design of the Baths, an enclosure locked with a MLAK key could be provided within the perimeter of the Baths to store a water access wheelchair for use by persons with a disability. The provision of such a structure within the baths would enable the water access wheelchair to be available for use at all times.

As with the provision of the hoist, damage due to vandalism would be the main concern with the proposal.

*Ability of a water wheelchair to reach a buoyancy level?*

The ramp into the water will be designed so as to permit persons using a water wheelchair to reach buoyancy level.

*Are the change rooms at the tearooms accessible?*

The existing change rooms are wheelchair accessible. A proposal for the upgrading of the change rooms including the provision of disabled toilets and showers has been prepared and has submitted to the Assets Working Party for consideration.

*Is there a shower in an accessible cubicle fitted with a seat?*

Although a separate disabled shower is not provided in the change rooms, the existing showers are wheelchair accessible. A portable seat for use by persons having a shower is available in the change rooms.

**Recommendation:**

Having regard to the contents of this report together with the comments contained in Annexure 2 in response to the issues raised in the submissions received following the public exhibition of the proposal by Council, it is recommended:

- A. that Council proceed with the detailed design for the reconstruction and upgrading of the Watsons Bay Baths including the submission of a Development Application for the works, such to include the removal of the arch wall and boardwalk between the inner and outer pool and the provision of a shade structure in the south eastern corner of the pool.
- B. that during the detailed design process the option of providing a hoist and a water access wheelchair for use by persons with a disability be fully explored including options that may be available to minimise ongoing maintenance and repair costs, and

- C. that State and Federal grant funding be sought for the reconstruction and upgrading of the Baths.

**Identification of Income & Expenditure:**

Cost estimates for the reconstruction and upgrading of the Baths, in accordance with the concept design endorsed by the Watsons Bay Baths Working Party, have been prepared and, excluding the cost of the detailed design and the cost of any improvement works to the roadway and footpath of Marine Parade, amount to \$1.58 million.

It is considered that it will take at least 12 months before the detailed design of the works has been completed and all necessary approvals have been obtained to enable construction works to commence.

An amount of \$100,000 has been provided in the 2007/2008 Budget to enable the detailed design of the works to be carried out and all necessary approvals obtained this financial year. It should also be noted that, when adopting the Draft 2007/2008 Budget on 30 April 2007, Council resolved in part:

2. *That Council apply for a special variation of 6.35% above the permissible increase, incorporating an additional provision for Wharves, Jetties and Baths, noting that the current Environmental Levy lapses on 30 June 2007 and the effective increase in rates will be 1.92% above the permissible increase subject to the Watsons Bay Baths reconstruction project being included in Council's Environmental and Infrastructure Renewal Program.*
3. *That the funding for the Watsons Bay Baths reconstruction project be further considered in light of the determination of Council's special variation application and Council's resolution of 12 March 2007.*
4. *That the Watsons Bay Baths reconstruction project be submitted to the Assets Working Party meeting to be held on 8 May 2007 for consideration.*

In the report to the Strategic & Corporate Committee on 16 April 2007 which led to the above resolution of Council it was noted that:

*Further Funding Option - Additional Special Variation application*

*Council has resolved to make an application for a special variation to replace the lapsing Environmental Levy with a combined Environmental & Infrastructure Levy. This will result in a special variation percentage of 7.43%, including an estimated permissible increase of 3%. The effect of this special variation would be a nil increase above the permissible limit.*

*Last year, when making its application for a combined levy, Council's application included a \$500,000 provision for Wharves, Jetties and Baths Infrastructure. When the combined levy was not approved, and a reduced infrastructure renewal program was adopted, this provision was dropped from the program.*

*With the forthcoming application, this provision can be re-incorporated into the works program. Part of the additional funding could be applied to the repayment of a loan for the reconstruction of the Watsons Bay baths as an alternative to using the proceeds from the sale of the WWPP. Repayments on a \$1.6m loan would be in the order of \$230k per annum.*

*This approach would increase the application percentage from 7.43% to 9.35% and provide an additional \$2.5m over 5 years. If there were no specific project needs for wharves, jetties and baths infrastructure in any one year, the funds could be redirected to other classes of infrastructure such as seawalls, retaining walls or extending the now reduced environmental works program. The effect of this application on ratepayers would be an increase of 1.92% above the permissible increase.*

*It is recommended that Council extend its application for special variation to include a provision for wharves, jetties and baths infrastructure, noting that it will result in only a small increase in rates above the permissible limit.*

The additional \$500,000 was incorporated into Council's application for special variation which has now been approved by the Minister and forms part of the Environmental & Infrastructure Works Program for 2007/2008.

It was envisaged at the time of adopting the draft budget that the \$1.58m project would be funded by loan with repayments being fund by the Environmental and Infrastructure Levy. The proposed timing of the project would still require loan funding as there would not be sufficient funds available from the levy at the time of construction.

The reconstruction and upgrading of the Baths is a project that could attract grant funding assistance. Once Council has resolved to proceed with the project and detailed design plans for the works are being prepared, applications for grant funding will be sought from sources including Federal grant funds and the NSW Department of Tourism, Sport and Recreation's Regional Sports Facility Program and the NSW Department of Planning's Sharing Sydney Harbour Access Programs.

Greg Stewart  
Project Manager Strategic Projects & Policy

Warwick Hatton  
Director Technical Services

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#### **ANNEXURES:**

1. Copies of the plans that were placed on public exhibition.
2. Summary of the submissions received together with comments on the issues raised in each of the submissions received.

## Public Exhibition – Concept Design for the Reconstruction and Upgrading of the Watsons Bay Baths

### Summary of Submissions Received

| <i>Submissions received from:</i> | <i>Issues raised in the Submissions</i>  | <i>Comments on the issues raised in the Submissions</i>   |
|-----------------------------------|--|---|
| The Vaucluse Progress Association | <i>Consider that the proposed shade structure seems oddly placed, being open to the north-west, and perhaps unnecessarily intrusive – because it is isolated – in the view from the shore to the water, and from the water to the shore. They suggest that the shelter might be better located on the northern side of the baths adjoining the Vaucluse Yacht Club boundary so that the perception of added structural bulk might be minimised by the visual merging of the two structures and it could also provide shade for the children’s pool where it would be useful and effective.</i> | The proposed shade structure is located over the terrace seating in the south eastern corner of the pool. The boardwalk on the northern side of the pool, adjacent to the Yacht club, is in shade most of the time and, therefore, a shade structure at this location is not required. The overall height of the shade structure will be less than 2.4 m above the deck level raking down over the terraced seating. The shade structure will not obstruct views from the adjoining properties and will be partly obscured by existing trees. |
|                                   | <i>Consider that there might be considerable merit in having the pier termination structure on the southern side converted to a floating pontoon as this would restore symmetry to the original baths piers and minimise visual obstruction.</i>   | The pier termination structures will provide lateral bracing to the ends of the existing pier walls and will be less expensive to construct and more rigid than a floating pontoon.   |
| No 2 Marine Parade, Watsons Bay   | <i>Consider that the provision of the access ramps is a good feature.</i>  | Noted.  |
|                                   | <i>Consider that the proposed children’s pool is unnecessary and point out that the location of the proposed children’s pool is rocky and consider it unlikely that the proposed structure will be sufficient to maintain a sand cover.</i>  | Rock outcrops are present along the foreshore of the baths, especially in the northern and southern corners. A children’s tidal pool structure is proposed in the northern corner to capture sand and provide a sandy area over the rock outcrop for small children to play in the shallow water close to the foreshore.  |
|                                   | <i>are disappointed that the walkway surround has not been</i>   | It was the view of the majority of the members of the Watsons   |

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|--|---|---|
|  | <i>preserved in the proposal. They consider that the walkway gives great access to the pool and is especially used and appreciated by teenagers and young children learning to swim and dive and gaining in confidence.</i>   | Bay Working Party that the removal of the boardwalk of the outer pool and the boardwalk between the inner and outer pools, would not only significantly improve the views of the Harbour from the foreshore and the adjacent Watsons Bay Tea Rooms but would also reduce the Capital cost of the works and the ongoing maintenance cost of the Baths. |
|  | <i>Consider that the proposed shade structure is unlikely to provide shelter to the majority of people and consider it an unnecessary expense.</i>  | There are few shaded areas around the existing Baths and the proposed shade structure will provide a much needed shaded area for pool users.  |
|  | <i>Consider that the proposed floating pontoon and turning boards are good however believe that it would be even better if the proposed floating turning boards at the northern end of the outer pool were replaced with a floating pontoon and steps similar to that proposed at the southern end of the outer pool.</i> | Floating turning boards are proposed at the northern end of the outer pool rather than a floating pontoon, to minimise the cost of the works as well as ongoing maintenance costs.  |
|  | <i>Consider that the extension of the length of the outer pool to 50 metres is highly desirable.</i>  | Noted   |
|  | <i>point out that the users of the Baths vary from the very young to teenagers, adults, seniors and people with disability and that the use of the Baths vary from recreation and leisure to health and rehabilitation and strenuous physical training.</i>   | The needs of the different users of the Baths have been considered in the preparation of the design concept for reconstruction and upgrading of the Baths.  |
|  | <i>Strongly support the upgrading of the Baths</i>  | Noted   |

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| Vice Commodore of the Vaucluse Yacht Club | <i>Requests clarification regarding the showers being attached to the external wall of their premises.</i>          | The proposed showers will not be attached to the Yacht Clubs premises and will be free standing units.  |
|   | <i>seeks confirmation that the Club's boardwalk attached to the northern side of the baths will not be removed.</i> | The Clubs boardwalk adjacent to the northern boardwalk of the baths is to be maintained. The Club's right to use this facility however, needs to be formalised. |

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|  | <i>Asks how the proposed precast walkway will be attached to the existing concrete structure; what sort of working platform is to be erected and where it will be located; who will Supervise the works and what is the proposed timeframe for the works.</i> | These details can only be determined once the detailed design of the project has been completed.   |
|  | <i>asks whether any additional parking is to be provided to cater for the increased patronage of the Baths.</i>   | No additional parking is to be provided.   |
|  |   |  |
| The Secretary of the Vaucluse Yacht Club | <i>The Board and Committee of the Club are very pleased with the proposal.</i>  | Noted  |
|  | <i>The Club seeks confirmation that the Club's 'Catwalk' attached to the northern side of the baths would not be affected by the development.</i>   | The Clubs 'Catwalk' attached to the northern side of the Baths is to be maintained. The Club's right to use this facility however, needs to be formalised. |
|  | <i>The club seeks confirmation that the showers proposed to be located in the north eastern corner of the pool will not be attached to their premises.</i>  | The proposed showers will not be attached to the Yacht Club's premises and will be free standing units.  |

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| No 70 Cambridge Avenue, Vaucluse | <i>Requests that a simple dressing enclosure be provided within the Baths so that there is no need to walk through the crowded Tea Rooms or get changed in the open.</i> | It is proposed to improve and upgrade the change rooms and toilet facilities in the Tea Rooms building adjacent to the Baths as part of the upgrading of this building |
|                                  | <i>requests that a number of ladders be provided to gain access to the water from the boardwalks.</i>  | A number of access ladders will be provided for access to the water from the boardwalks.   |

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| No 3 Military Road, Watsons Bay | <i>Objects to the loss of the internal western wall of archways separating the inner and outer baths as it will substantially alter the appearance of the baths and lessen its aesthetic appeal.</i> | It was the view of the majority of the members of the Watsons Bay Working Party that the removal of the boardwalk around the outer pool, and the boardwalk between the inner and outer pools, would not only significantly improve the views of the Harbour from the foreshore and the adjacent Watsons Bay Tea Rooms but would also reduce the capital cost of the upgrading works and ongoing maintenance costs. |
|---------------------------------|--|--|

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|  | <i>objects to the loss of the vertical rods within the northern and southern side archways and considers that this will substantially alter the aesthetic appeal of the baths, the archways and vertical steel rods being strong architectural elements which result in the Baths being clearly and immediately identifiable.</i> | The vertical steel rods are proposed to be replaced with netting in order to minimise the capital cost of the upgrading works and ongoing maintenance costs. The netting will also be less noticeable and will permit less obstructed views of the Harbour beyond and views to the shoreline from the Harbour. |
|  | <i>expresses concern regarding the impact on the environment that the proposed works in the south eastern corner of the baths may have on the existing sandstone wall, rock shelf, sea grasses and wildlife in the area.</i>  | The potential impact that the proposal will have on the environment will need to be assessed and addressed in the Statement of Environmental Effects that will need to be submitted with any Development Application for the works   |
|  | <i>thoroughly supports the addition of the children's tidal pool, the shade area, new seating and improved disabled access.</i>   | Noted.   |

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| No 1 Salisbury Street,<br>Watsons Bay | <i>Objects to the removal of the boardwalk between the inner and outer pools. Points out that the boardwalk separates the shallow part of the pool from the deeper part of the pool which they consider is unsafe for young children. Further point out that the inner pool provides a feeling of protection and that the dividing boardwalk provides a break from boat wash.</i> | It was the view of the majority of the members of the Watsons Bay Working Party that the removal of the boardwalk of the outer pool and the boardwalk between the inner and outer pools would not only significantly improve the views of the Harbour from the foreshore and the adjacent Watsons Bay Tea Rooms but would also reduce the capital cost of the works and the ongoing maintenance cost of the Baths.<br>As with any tidal pool or beach, the depth of water in the Baths consistently changes according to the tides and the distance from the shoreline. Accordingly, young children using the Baths need to be properly supervised at all times. |
|                                       | <i>points out that the area chosen for the shade structure is above an area which is never used due to the unpleasant rock / seaweed sea floor.</i>   | This is one of the reasons why this area was chosen for the proposed shade structure.  |
|                                       | <i>points out that the termination of the middle walkway with small extensions will lead to a very busy jump off area for children whereas prior to the closure of the outer pool, everyone could find a jump off area.</i>   | Noted. It was the view of the majority of the members of the Watsons Bay Working Party that the removal of the boardwalk around the outer pool, and the boardwalk between the inner and outer pools, would not only significantly improve the views of the Harbour from the foreshore and the adjacent Watsons Bay Tea Rooms but would also reduce the capital cost of the upgrading works and ongoing maintenance costs.  |

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|                                      | <i>Consider that the children's pool looks great.</i>   | Noted.   |
| No 22 Pacific Street,<br>Watsons Bay | <i>Delighted with the new pool design.</i>  | Noted.   |
|                                      | <i>Considers that the relationship of the Baths to the Tea Gardens area could be better linked.</i> | This is outside the current scope of works for the reconstruction and upgrading of the Baths but will be addressed during the detailed design. |
|                                      | <i>Considers that power poles and power lines must be placed underground.</i>                       | Outside the current scope of works for the reconstruction and upgrading of the Baths but will be addressed during the detailed design.         |

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**Item No:** D8 Delegated to Committee  
**Subject:** **Cross Street Carpark - Provision of Temporary Golf Cart Service for Transporting Patrons**  
**Author:** Zubin Marolia -Manager Property & Projects  
**File No:** 525.G  
**Reason for Report:** To advise the Committee regarding the option to provide a temporary golf cart type service in the Cross Street Carpark while the lift is undergoing flood damage repairs / refurbishment.

**Recommendation:**

- a. That Council note the special arrangements being installed for parking at the ground level.
- b. That Council not proceed with the golf cart service.

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**Background:**

The lift located within the Cross Street car park was damaged by the flood that occurred as a result of the heavy rainfall on 4 April 2007. Council's property insurer, Statewide, subsequently appointed a loss adjuster to assess the quotations that were provided for the repair of the lift. On 25 May 2007, Statewide advised that they have agreed to Council proceeding with the repair of the lift based on the quotation received from Schindler Lifts and a Council purchase order was issued. Schindler have advised us that the parts have been ordered from Switzerland and it is anticipated that the repairs will be completed by early October 2007. We have emphasised to Schindler Lifts the importance of this public lift and the inconvenience the car park patrons are currently experiencing. They have given an undertaking that they will try to fast track the commissioning of this lift.

On 9 July 2007, Council adopted the following notice of motion:

*"That an urgent report be brought to the Corporate & Works Committee advising as to the provision of a golf cart type service in the Cross Street car park during the period that the lift is decommissioned with the view of transporting patrons to and from their cars with advice as to the recoverability of such cost from the Councils insurers or otherwise."*

**Proposal:**

The intent of the proposal is presumably to provide assistance primarily to car park patrons who, due to infirmity, age, small children or other restrictions on mobility, would find it difficult or physically impossible to use the stairs in the car park while the lift is out of commission. The percentage of these users is not known. The service would be of no benefit to wheelchair users as they could not be accommodated on a golf cart.

For such a service to be of benefit, a patron would need to be able to call for assistance and have it arrive within a few minutes at any of the seven above grade levels in the car park.

Constraints which would apply to achieving this outcome include:

1. Not all patrons will have the means (a mobile phone) to call for the service.
2. Some may have difficulty describing their location; (however, waiting points could be established and advertised on each level).

3. Assuming the golf cart travels at 10kph (estimated average speed in the car park, allowing for ramps and other manoeuvring vehicles), it would take about ½ minute to traverse each level or 7 minutes to travel from the entrance level to the top floor and back.
4. A golf cart can carry 1-3 passengers. If more than 3 people are involved in two consecutive requests, the second group could have to wait up to 10 1/2 minutes for the cart to come from the ground to pick up the first group, transport them to the ground and return (not counting any delays in loading or unloading passengers).
5. If a third request is made around the same time, and there are more than 6 people involved, the wait could extend to 17 ½ minutes.
6. These times could notionally be halved by employing a second cart; however, at peak times extended delays could be anticipated, particularly where patrons are waiting to be taken up to their cars as others are waiting to be brought down.

To set up a golf cart service, it would be necessary to hire one or two carts, engage two or four drivers (two shifts to cover hours of car park operation), provide mobile phones to the drivers, install signage, arrange insurance cover, arrange necessary permits and provide familiarisation training. The estimated cost to set up a service comprising two carts and two shifts of two drivers for a two month period is \$53,000.

Safe waiting points would need to be established and signposted on each of the seven upper levels. Signage explaining the system, including potential waiting times, would also need to be installed. An area secured against theft or vandalism would need to be installed to hold the carts when not in use and a battery charging point would need to be installed for overnight recharging. These works have not been costed to date.

Premier Parking has estimated that these requirements would mean that the lead time to set up the service following a Council resolution would be in the order of 3-4 weeks, that is, around the beginning of September. Even if this lead time could be reduced to, say, 2 weeks, this would mean the service would operate for only about two months, as the lift is projected to be recommissioned at the end of October.

The use of golf carts in the traffic lanes of a public car park poses potential OHS and public liability issues. Premier Parking would hire the carts and engage drivers. However, they have advised that they are not prepared to accept liability for this service, which is not covered by their management agreement with Council, and have stated that patrons wishing to use the service will be advised that they do so at their own risk. However, as the service would be undertaken in a Council-owned carpark, Council would incur liability should someone get hurt or an accident occur.

Council's insurers have been approached to find out if they would cover the cost of this temporary service. We are awaiting their response, which they have advised is unlikely to be available by the time of the Committee meeting.

### **Conclusion:**

The proposed golf cart service would take some time to arrange, would entail works in the carpark, would not be capable of delivering a prompt, responsive service much of the time, particularly at peak times, and would be expensive to set up and operate for limited potential benefit to mobility impaired patrons. The cost may or may not be recoverable; this is being pursued.

### **Alternative measures**

Since the suspension of the lift service, we have installed on the entrance level of the car park four additional parking spaces for patrons with prams, making a total of six available, in addition to eight disabled parking spaces. We are also arranging to install eleven spaces to be reserved for seniors.

Signage is being installed to advise patrons of these facilities and to encourage younger and able patrons to not use these twenty-five spaces and to park on upper levels.

Premier Parking have advised that, in their experience in other car parks, they have found that when signage is placed informing the public of repairs being carried out, and the expected duration, most patrons are understanding and cooperative. Signage has been installed and notices have been placed in the Wentworth Courier.

On the basis of the above advice and considering that the carpark patrons have been very considerate in such difficult circumstances, it is recommended that Council not proceed with the golf cart service.

Zubin Marolia  
Manager – Property & Projects

Warwick Hatton  
Director – Technical Services

**Item No:** R1 Recommendation to Council  
**Subject:** **Transfer of the Council's Public Ferry Wharves to NSW Maritime**  
**Author:** Greg Stewart - Project Manager Strategic Projects and Policy  
**File No:** 908.G  
**Reason for Report:** To obtain Council's approval to the signing of the necessary documentation to effect the transfer of the ownership of the Council's public ferry wharves to NSW Maritime

**Recommendation:**

That Council's General Manager be authorised to sign the necessary documentation to effect the transfer of ownership of the Rose Bay, Double Bay and Darling Point public ferry wharves to NSW Maritime.

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**Background:**

The Corporate and Works Committee on 20 November, 2006, when considering a report on the transfer of the Council's public ferry wharves to NSW Maritime, resolved as follows:

- A. *That Council note that NSW Maritime will take over responsibility for the maintenance, repair and upgrading of the Council's three commuter ferry wharves once works commence on the safety and structural repair works for which tenders are currently being obtained by Maritime NSW.*
- B. *That Council negotiate with Maritime NSW on the following basis:*
- a. *that until the end of the current financial year, Council is prepared to provide the following services to these wharves at Council's cost:*
    - i. *Rubbish removal*
    - ii. *Twice weekly wharf cleaning*
    - iii. *Graffiti removal*
    - iv. *Minor repairs (light globes/fittings, bins and seats)*
    - v. *Ongoing provision of lighting and electrical services.*
  - b. *that at the completion of the current financial year, Council would provide these services on a negotiated fee for service basis which reflects the true cost of providing the service.*
- C. *That Council note that Council's Disability Action Plan for ferry wharves will no longer apply once the ownership of these ferry wharves is transferred to Maritime NSW.*

Following the above resolution, a meeting was held with representatives of NSW Maritime. This meeting was held at their request. At this meeting, the General Manager, Maritime Property Division of Maritime NSW advised Council staff that although NSW Maritime were willing to accept the transfer of ownership of the Rose Bay, Double Bay and Darling Point ferry wharves, they were in return, requesting Council to continue to provide, at its cost, services such as garbage collection, cleaning, graffiti removal and other services which they considered were best managed by Council. They requested Council to provide these services to not only to the three public ferry

wharves owned to date by Council, but also to Watsons Bay Wharf which is owned by NSW Maritime.

In order not to jeopardise the transfer of ownership of the wharves, and as the cost involved in providing these services to the four wharves is less than \$10,000 per annum, NSW Maritime were advised by letter dated 31 May, 2007 that Council was willing in principle to provide municipal services to the ferry wharves at Lyne Park, Double Bay and Darling Point, when these were transferred to the ownership of NSW Maritime, and to the wharf at Watsons Bay, on the understanding that NSW Maritime would be responsible for the repair, maintenance and construction of all wharf structures.

The services to be provided by Council would comprise:

1. Periodic removal of litter and clearing of litter bins (where these exist for the use of ferry passengers), but subject to an undertaking that Sydney Ferries will not use these bins for the removal of litter from ferries. Council to determine where bins should be located (if any) and to install if required.
2. Removal of graffiti from wharf surfaces, railings, signage and outdoor furniture. NSW Maritime to be responsible for all surfaces, railings, signage and outdoor furniture and repair or replace them if damaged or defective.
3. Removal of graffiti from any future passenger shelters. NSW Maritime to install any shelter and repair or replace it if damaged or defective.
4. Replacement of light bulbs to specified lighting fixtures.
5. Power supply at Council cost, to specified lighting fixtures only, where lights are connected to an existing street-lighting or park lighting service. NSW Maritime to install lighting fixtures and repair or replace if damaged or defective. Power supply to other electrical or electronic devices not to be provided by Council.

NSW Maritime were advised that Council was willing in principle to provide the above municipal services to the ferry wharf at Watsons Bay, subject to an agreement which excludes any municipal services to the private (leased or licensed) premises on or adjacent to the wharf, and subject to undertakings from the Game Fishing Club and Doyles Wharf Restaurant that they will not use any Council litter bins (if installed) for any waste from their premises.

In order to effect the transfer of the ownership of the Council's Ferry wharves to NSW Maritime, NSW Maritime have prepared two draft legal documents for execution by Council. These documents are an "Agreement to Transfer" document and a "Deed of Agreement for Services" and are currently in the process of being finalised. The first document sets out the terms of the transfer of the ownership of the wharves to NSW Maritime and the on-going relationship between Council and NSW Maritime to provide these wharves as facilities for the community. The second document sets out the terms and conditions under which NSW Maritime will engage Council, for an initial term of ten years, to provide the municipal services to these wharves, as well as the Watsons Bay Wharf, in accordance with Council's letter of 31 May, 2007.

### **Recommendation:**

In order to effect the transfer of the ownership of the Council's public Ferry Wharves to NSW Maritime, it is recommended that Council's General Manager be authorised to sign the necessary documentation to effect this transfer, which will occur once these documents have been signed by Council and NSW Maritime.

**Identification of Income & Expenditure:**

Although Council will continue to incur costs associated with the ongoing provision of some municipal services to these wharves, Council will be relieved of the significant ongoing maintenance, repair and upgrading costs associated with these wharves.

Greg Stewart  
Project Manager Strategic Projects & Policy

Warwick Hatton  
Director Technical Services

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**ANNEXURES:**

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**Item No:** R2 Recommendation to Council  
**Subject:** **Tender for the Supply of Tree Removal, Tree Pruning and Associated Services**  
**Author:** Joe Cavagnino - Purchasing Co-ordinator  
**File No:** Tender 07/08  
**Reason for Report:** To recommend to Council the acceptance of a Tender

**Recommendation:**

- A. That Council enters into a panel contract arrangement with: Active Tree Services Pty Ltd, All Suburbs Tree Services Pty Ltd, Advanced Tree Services Pty Ltd and Plateau Tree Services Pty Ltd for various tree maintenance services for a period of 3 years.
- B. That successful and unsuccessful tenderers be advised accordingly.

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**Background:**

Council currently operates an in-house Tree Pruning and Removal Service which accounts for approximately 85% of the work required throughout the municipality. The left over 15% of work is performed by external contractors. As this remaining 15% of work is variable depending on weather conditions, and could accumulate into a large expenditure service, it was decided that we public tender this service to obtain contractors that could provide a capable and reliable service and best value for money for Council.

**Tender Assessment**

Tenders for this work closed at 10.00am on 1 June 2007. Seven (7) tenders were received and are listed in the following table:

| <b>TENDERERS</b>           |
|----------------------------|
| Active Tree Services       |
| Advanced Tree Service      |
| All Suburbs Tree Services  |
| Axact Services             |
| C.J. Murphy Tree Recycling |
| Mulchback Tree Services    |
| Plateau Tree Service       |

The tenders were assessed in accordance with the selection criteria stated in the tender documents. The tender panel comprised; Mr Bruce Rann, Manager Parks and Street Trees, Mr Joe Cavagnino, Council's Purchasing Coordinator, Mr Phillip Jackson, Acting Technical Officer for Arboriculture, and Mr Les Windle as the Probity Adviser.

Following recent reports to Council regarding the tender evaluation process, and the Corporate and Works Committee's recommendation of 5 March 2007 that further consideration be given to the use of a "stranger" on the panel or alternatively a probity auditor, and to the weighting of evaluation criteria, the tender assessment process in this case has been carried out with Les Windle, Governance Manager, acting as a Probitly Adviser. In this regard Mr Windle has reviewed the tender and contract documents, attended all relevant meetings of the tender panel, and reviewed the actions taken by the panel for consistency, probity and transparency.

Prior to the opening of tenders, the tender panel agreed on the weightings that would be used against the published selection criteria.

The tenders were given a score on each item of the selection criteria, which resulted in a score out of 100, with points being allocated as indicated in the following table.

The following table shows the scores and rankings of all tenders considered:

### TENDER ANALYSIS

| TENDERER                      | Competitive Pricing<br>20 | OHS Systems and<br>procedures<br>20 | Environmental System<br>10 | Customer Service and<br>Completion Times<br>10 | Past Experience and<br>Capabilities<br>30 | Industrial Relations<br>Record<br>10 | Total Score<br>100 | Ranking |
|-------------------------------|---------------------------|-------------------------------------|----------------------------|--|---|--------------------------------------|--------------------|---------|
| Active Tree Services          | 15.71                     | 18                                  | 8                          | 6  | 28  | 10                                   | 85.71              | 4       |
| Advanced Tree Service         | 16.51                     | 20                                  | 8                          | 7  | 28  | 10                                   | 89.51              | 2       |
| All Suburbs Tree<br>Services  | 20                        | 18                                  | 8.5                        | 7.5  | 27  | 10                                   | 91                 | 1       |
| Axact Services                | 16.36                     | 17                                  | 4                          | 7  | 23  | 10                                   | 77.36              | 6       |
| C.J. Murphy Tree<br>Recycling | 12.18                     | 16.5                                | 6                          | 7  | 22  | 10                                   | 73.68              | 7       |
| Mulchback Tree<br>Services    | 14.93                     | 16                                  | 6                          | 7  | 24  | 10                                   | 77.93              | 5       |
| Plateau Tree Service          | 15.98                     | 18                                  | 7.5                        | 8  | 28  | 10                                   | 87.48              | 3       |

1. Competitive Pricing scoring included analysis of 4 typical and frequently undertaken tree maintenance jobs.
2. OHS Systems and Procedures scoring reviewed evidence relating to: OHS Management Systems, OHS Policy Management, Safe Work Method Statements, and Risk Assessments.
3. Environmental Systems scoring reviewed evidence relating to: Environmental Policy or Statement, accredited systems, and environmental Audits.
4. Customer Service and Completion Times scoring reviewed responses relating to: completing work to deadlines, and turnaround times from placement of order.
5. Past Experience and Capabilities scoring reviewed evidence relating to: list of contracts, list of referees, plant and equipment available, and organisational structure.
6. Industrial Relations Record scoring looked at evidence relating to IR breaches. A score of 10 indicates that no breaches have occurred.

### Summary

All the tenderers met the main selection criteria; however, using the agreed scoring system the panel was able to make the following analysis:

The panel first looked at factors other than competitive pricing, ie Occupational Health and Safety, Environmental Systems, Customer Service, Experience and Capability, and Industrial Relations record. The panel found that Active Tree Services, Advanced Tree Service, All Suburbs Tree Services, and Plateau Tree Service had all achieved at least 70 points out of a possible 80 in these areas. These scores were significantly higher than those achieved by Axact Services, C.J. Murphy Tree Recycling and Mulchback Tree Services.

The panel then reviewed the tenderers competitive pricing capacity using each company's schedule of rates against a range of typical tree maintenance scenarios which are regularly carried out on public trees in the Municipality. Once again Active Tree Services, Advanced Tree Service, All Suburbs Tree Services, and Plateau Tree Service all scored well overall regarding competitive pricing.

Axact Services also scored well for competitive pricing, however, considering Axact's scores were not in the high range for Occupational Health and Safety systems, or for Environmental Systems, the panel is not recommending Axact Services as a selected tenderer.

As in previous years the panel was able to select more than one applicant as the tenders demonstrated a range of skills and pricing for differing tree maintenance procedures. Parks and Street Trees staff will be able to contract out tree maintenance work to the best selected tenderer as each job is considered with respect to the selected tenderers' capabilities and pricing.

The selected tenderers are:

#### **Active Tree Services**

Active Tree Service demonstrated a competitively priced schedule of rates. They also have an Australian Standards certified accredited Occupational Health and Safety and Environmental Management systems. Active Tree Services had one of the highest scores for past experience and capabilities Active have a good industrial relations record and have provided similar services to other Councils and were able to provide referees for this work.

#### **All Suburbs Tree Services**

All Suburbs Tree Services have the lowest prices in their schedule of rates. They have an accredited risk management system. All Suburbs Tree Services have an extensive range of arboriculture equipment and appropriately qualified staff. All Suburbs Tree Services demonstrated knowledge of environmental issues and have a good industrial relations history. All Suburbs Tree Services have provided similar services to a number of Councils and were able to provide referees for this work.

#### **Advanced Tree Services**

Advanced Tree Services have a competitively priced schedule of rates and an Australian Standard certified accredited OH&S system. They have a wide range of arboriculture equipment and appropriately qualified staff. They have a good industrial relations history and have provided similar services to other Councils and were able to provide referees for this work.

#### **Plateau Tree Services**

Plateau Tree Services have a similar company profile to Advanced Tree Services. They have a competitively priced schedule of rates and an Australian Standards certified accredited OH&S system. They have a wide range of arboriculture equipment and appropriately qualified staff. They have a good industrial relations history and have provided similar services to other Councils and were able to provide referees for this work.

**Identification of Income & Expenditure:**

A budget of \$90,000 per annum for the years 2003/2004 and 2004/2005 plus a budget of \$100,000 per annum for 2005/2006 and 2006/2007 was used for tree maintenance contracts as part of the Parks and Street Trees tree maintenance budget. \$100,000 for tree maintenance contract work has been approved for the 2007/2008 budget.

In addition to this recurrent expenditure over the past several years there have been a number of capital funded tree removal and or replacement projects which have taken the total annual budget near the \$150,000 per annum tender selection threshold.

**Conclusion:**

The tender panel recommends that Council enter into a panel contract arrangement with Active Tree Services Pty Ltd, All Suburbs Tree Services Pty Ltd, Advanced Tree Services Pty Ltd and Plateau Tree Services Pty Ltd for various tree maintenance services for a period of 3 years.

Joe Cavagnino  
Purchasing Coordinator

Warwick Hatton  
Director Technical Services

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**Annexures:**

Nil

**Item No:** R3 Recommendation to Council  
**Subject:** **Statutory Review of Policy - Payment of Expenses and Provision of Facilities to the Mayor, Deputy Mayor and Councillors Policy**  
**Author:** Les Windle - Manager Governance  
**File No:** 18.G  
**Reason for Report:** For Council to fulfil its statutory requirement to review and publicly exhibit a proposed policy for the Payment of Expenses and Provision of Facilities to the Mayor, Deputy Mayor and Councillors

**Recommendation:**

That the draft Payment of Expenses and Provision of Facilities to the Mayor, Deputy Mayor and Councillors Policy as contained in Annexure 3 of the report to the Corporate and Works Committee meeting on 6 August 2007 be placed on public exhibition for a period of not less than 28 days and a further report be submitted to the Committee at the conclusion of the exhibition period.

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**Background:**

Council adopted the current *Payment of Expenses and Provision of Facilities to the Mayor, Deputy Mayor and Councillors Policy* in November 2006. (Annexure 2)

Section 252 of the Local Government Act requires Councils to adopt, after complying with the consultation requirements contained in Section 253 of the Local Government Act, an expenses and facilities policy with 5 months after the end of each financial year and the policy must comply with any relevant guidelines issued under Section 23A of the Local Government Act by the Director General of the Department of Local Government.

The Director General DLG issued updated guidelines in May 2007 (Annexure 1) which Council must comply with for the current review of the policy.

The updated guidelines include amendments relating to advance payments of expenses, reconciliation of those advance payments and specify that the policy should not provide for legal assistance in respect of legal proceedings initiated by the Mayor or Councillors.

The updated guidelines also introduce recent amendments to clause 217 of the Local Government (General) Regulation 2005 relating to additional annual reporting requirements. These amendments require Council to include additional information in its Annual Report relating to the provision of facilities and expenses to the Mayor and Councillors.

**Proposal:**

Council must now undertake the yearly review of the Policy in accordance with the updated Director General's Guidelines.

Council may propose to exhibit the current Policy with any changes required by the Director General's Guidelines or it may introduce amendments to the Policy. Whichever option Council chooses it still must undertake the full consultation process.

Council's existing Policy reflects the deliberations of the current Council in relation to the level and scope of expenses and provision of facilities to the Mayor, Deputy Mayor and Councillors and has previously been reviewed in May 2005 and November 2006 and adopted after extensive review and consultation processes where no public submissions were received.

In view of this, it is recommended that the level and scope of expenses and facilities provided by Council are not changed during the current review and that the proposed Policy only be amended to include the matters required by the updated Director General's Guidelines.

The Proposed Policy is attached to this report (Annexure 3) and shows the recommended changes in underlined text.

The recommended changes to the Policy are as follows:

Section **1.5 Reporting Requirements** (page 2) has been amended to include the additional Annual Report reporting requirements as required by the amendment to Clause 217 of the Local Government (General) Regulation 2005.

The proposed policy has been amended to include the following:

In accordance with Clause 217 of the Local Government (General) Regulation 2005 Council is required to include the following additional information in each Annual Report.

Councils are now required to report separately on:

- the total cost of expenses and the provision of facilities for the mayor and all councillors, as well as:

Provision of facilities

- the cost of the provision of dedicated office equipment allocated to councillors on a personal basis such as laptop computers, mobile phones, telephones and facsimile machines and Internet installed in the councillors' homes (including line rental and internet access). This item does not include the costs of using this equipment, such as calls.

Expenses

- the cost of phone calls including mobiles, home located landlines, facsimile and internet services
- spouse/ partner/ accompanying person expenses (limited to circumstances outlined on page 14 of the Director General's Guidelines)
- conference and seminar expenses
- training and skill development expenses
- interstate travel expenses (including subsistence and out-of-pocket expenses)
- overseas travel expenses (including subsistence and out-of-pocket expenses)
- care and other related expenses (of dependants to enable a councillor to undertake his or her civic functions).

Section **2 Expenses** (page 3) has been amended to include the provision for advance payments and the reconciliation requirements.

The proposed policy has been amended to include the following:

Councillors may request payment in advance in anticipation of expenses incurred through attending conferences, seminars, training away from home and any other service or facility covered by this policy.

All advance payments must be reconciled within one month of the expense being incurred and any under expenditure must be reimbursed to Council. Supporting documentation must be in the form of receipts or statutory declaration and be accompanied by a statement by the Councillor that the expenditure was incurred as a direct result of them undertaking their duties as a Councillor.

Section **2.5 Legal expenses and assistance** (page 6) has been amended to include a note clarifying that Council will not provide legal assistance for proceedings initiated by the Mayor or Councillors.

The proposed policy has been amended to include the following:

Council will not provide legal assistance in respect of legal proceedings initiated by the Mayor and/or Councillors.

All other sections of the policy remain as previously adopted by Council.

#### **Consultation:**

Before Council can adopt or amend an expenses and facilities policy it must give public notice of not less than 28 days of the proposed policy. At the conclusion of the exhibition period the Council must consider any submission made to it and if considered necessary, make appropriate changes to the proposed policy. If the changes to the policy are considered substantial, the proposed amended policy will be required to be re-exhibited. If the proposed changes are in the opinion of the Council to not be substantial then the amended proposal will not need to be re-exhibited.

Following adoption of the policy by Council, the policy together with details of all submissions received and a statement from Council setting out the response to each submission must be forwarded to the Director General of the Department of Local Government.

#### **Identification of Income & Expenditure:**

The proposed Policy will not incur any additional expenditure for Council.

#### **Conclusion:**

Council must review its expenses and facilities policy within five months of the end of the (financial) year and must publicly exhibit any proposed policy, even if it is the existing policy, for not less than 28 days. Council's current policy has been updated to include the requirements of the new DLG Director General's Guidelines. These changes have not altered the level or scope of the expenses and facilities available to the Mayor, Deputy Mayor and Councillors. It is recommended that the draft policy be placed on public exhibition and a further report be submitted to the Committee following the exhibition period.

Les Windle  
Manager Governance

Geoff Clarke  
Director Corporate Services

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**Annexures:**

1. DLG Director General's (updated) Guidelines for the payment of expenses and the provision of facilities to the Mayor and Councillors for Local Councils in NSW – May 2007
2. Adopted Policy – Payment of expenses and provision of facilities to the Mayor, Deputy Mayor and Councillors (November 2006)
3. Draft Policy recommended for public exhibition - Payment of expenses and provision of facilities to the Mayor, Deputy Mayor and Councillors