

Corporate & Works Committee



Agenda: *Corporate & Works Committee*

Date: *Monday 4 April 2011*

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).

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

- Such matters as are specified in Section 377 of the Local Government Act 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;
 - Adoption of Council's Community Strategic Plan, Delivery Program and Operational Plan;
 - Delegations; and
 - Policies.
- Tenders as per Regulation requirements.
- Leases.
- Matters reserved by individual Councillors in accordance with any Council policy on "safeguards" and substantive changes.

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.
- Statutory reviews of Council's Delivery Program and Operational 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 the Minutes of its Meetings.
- 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 above.

Committee Membership:

7 Councillors

Quorum:

The quorum for a Committee meeting is 4 Councillors.

WOOLLAHRA MUNICIPAL COUNCIL

Notice of Meeting

31 March 2011

To: Her Worship The Mayor, Councillor Isabelle Shapiro ex-officio
Councillors Andrew Petrie (Chair)
Ian Plater (Deputy)
Anthony Boskovitz
Sean Carmichael
Susan Jarnason
Greg Medcraft
David Shoebridge

Dear Councillors

Corporate & Works Committee Meeting – 4 April 2011

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 4 April 2011 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 21 March 2011	1
D2	Disclosure of Interest Returns submitted by Designated Employees during the period January to March 2011 – 169.G	2

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

R1	Construction of two Roundabouts – Bellevue Road, Bellevue Hill – Tender No. 11/01	5
R2	Road Dedication – Wiston Gardens, Double Bay – 501.	10
R3	Gap Park CCTV Project Stage 2 – 190.G	20

Item No: D1 Delegated to Committee

Subject: **CONFIRMATION OF MINUTES OF MEETING HELD ON 21 MARCH 2011**

Author: Les Windle, Manager – Governance

File No: See Council Minutes

Reason for Report: The Minutes of the Meeting of Monday 21 March 2011 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 21 March 2011 be taken as read and confirmed.

Les Windle
Manager – Governance

Item No: D2 Delegated to Committee
Subject: **Disclosure of Interest Returns Submitted by Designated Employees During the Period January to March 2011**
Author: Les Windle – Manager Governance
File No: 169.G
Reason for Report: To table the disclosure of interest returns that have been lodged by new designated employees during the period January to March 2011

- A. That the Disclosure of Interest Return of the new designated persons who were required to submit a Primary Return during the period January to March 2011 be tabled.
- B. That Council notes that the Primary Disclosure of Interest Return has been submitted in accordance with the requirements of the Local Government Act 1993.

Background:

Designated persons are required to lodge a disclosure of interest return:

- (1) within three months of becoming a designated person, (Primary Return) and
- (2) for each July 1 to June 30 period (Ordinary Return).

A designated person is described in Section 441 of the Local Government Act as:

S441 Who are 'designated persons'

For the purposes of this chapter, "designated persons" are:

- *the general manager*
- *other senior staff of the council*
- *a person (other than a member of the senior staff of the council) who is a member of staff of the council or a delegate of the council and who holds a position identified by the council as the position of a designated person because it involves the exercise of functions under this or any other Act (such as regulatory functions or contractual functions) that, in their exercise, could give rise to a conflict of interest between the person's duty as a member of staff or delegate and the person's private interest*
- *a person (other than a member of the senior staff of the council) who is a member of a committee of the council identified by the council as a committee whose members are designated persons because the functions of the committee involve the exercise of the Council's functions under this or any other Act (such as regulatory functions or contractual functions) that, in their exercise, could give rise to a conflict between the member's duty as a member of the committee and the member's private interest.*

The occupants of the following Council positions have been determined to be designated persons for the purpose of Section 441 of the Local Government Act:

General Manager	Determined by Local Government Act
Directors	Senior staff of Council
Managers	Deemed to exercise designated persons functions
Executive Planner	Exercises designated persons functions
Team Leaders – Development Control	Exercises designated persons functions
Senior Assessment Officers	Exercises designated persons functions
Assessment Officers	Exercises designated persons functions
Team Leader – Compliance	Exercises designated persons functions
Blg/DA/Hoarding Compliance Officers	Exercises designated persons functions
Senior Building and Compliance Officers	Exercises designated persons functions
Building and Compliance Officers	Exercises designated persons functions
Team Leader – Urban Design	Exercises designated persons functions
Urban Design Planner	Exercises designated persons functions
Team Leader – Strategic Planning	Exercises designated persons functions
Strategic Planner	Exercises designated persons functions
Development Engineers	Exercises designated persons functions
Environmental Health Officers	Exercises designated persons functions
Environmental Protection Co-ordinator	Exercises designated persons functions
Fire Safety Officers	Exercises designated persons functions
Strategic Heritage Officer	Exercises designated persons functions
Heritage Officers	Exercises designated persons functions
Coordinator Trees Maintenance	Exercises designated persons functions
Coordinator Parks Maintenance	Exercises designated persons functions
Team Leader – Development Assessment	Exercises designated persons functions
Team Leader – Tree Management	Exercises designated persons functions
Tree Officers	Exercises designated persons functions
Admin Assistant – Printing & Purchasing	Exercises designated persons functions
Resource Management Team Leader	Exercises designated persons functions
Customer and Outreach Library Team Leader	Exercises designated persons functions
Resource Management Team Leader	Exercises designated persons functions
Plant and Fleet Co-ordinator	Exercises designated persons functions
Purchasing Co-ordinator	Exercises designated persons functions
Trades Supervisor	Exercises designated persons functions
Co-ordinator Civil Works	Exercises designated persons functions
Project Manager – Open Space	Exercises designated persons functions
Business Centres & Street Cleaning Co-ordinator	Exercises designated persons functions
Consultant Planners	Exercises designated persons functions
Duty Planners	Exercises designated persons functions
Team Leader – Infrastructure Asset Management	Exercises designated persons functions
Landscape Development/Tree Officers	Exercises designated persons functions
Project Manager – Strategic Projects	Exercises designated persons functions
Property Services Co-ordinator	Exercises designated persons functions
Asset Maintenance Officers	Exercises designated persons functions
Property Officers	Exercises designated persons functions
Co-ordinator Regulatory Services	Exercises designated persons functions
Traffic and Development Assessment Engineer	Exercises designated persons functions

The Local Government Act requires, at Section 450A(1), the General Manager to keep a register of returns disclosing the interests of Councillors and designated persons.

Section 450A(2)(a) requires the returns lodged with the General Manager be tabled at the first meeting held after the last day for lodgement. The purpose of this report is to table the Primary Disclosure of Interest Returns of designated persons who were required to lodge a return during the period January 1 to March 31, 2011.

Tabling of Returns:

Two new designated persons were required to submit a Primary Disclosure of Interest Return during the period and those designated person submitted their return in accordance with the legislative requirements.

Conclusion:

The designated persons required to complete a Primary Disclosure of Interest Return during the quarter ended 31 March 2011 completed their declaration in accordance with the legislative requirements.

The Returns are tabled in accordance with the requirements of the Local Government Act and it is recommended that the information be noted.

Les Windle
Manager - Governance

Stephen Dunshea
Director Corporate Services

ANNEXURES:

Nil

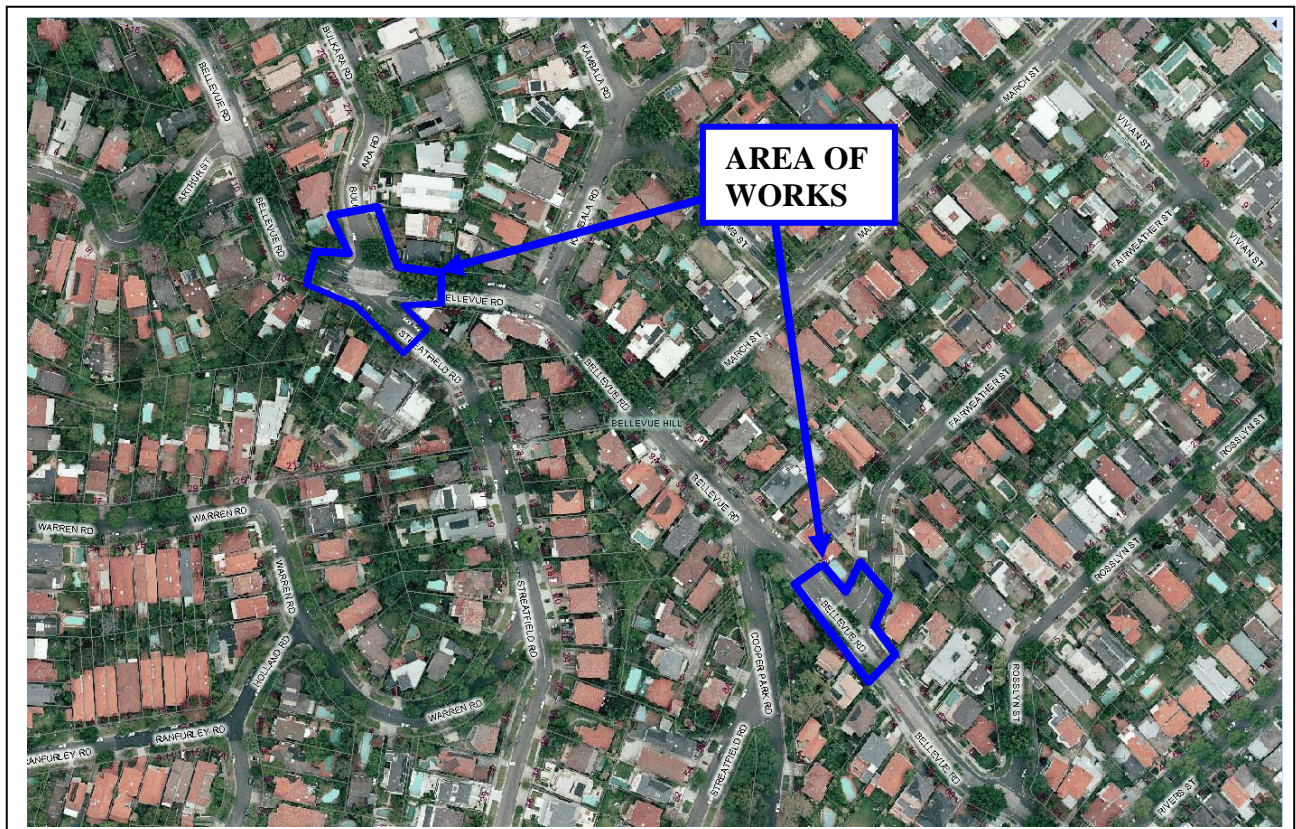
Item No: R1 Recommendation to Council
Subject: Construction of Two Roundabouts– Bellevue Road, Bellevue Hill
Author: Sam Badalati – Project Manager
File No: Tender No 11/01
Reason for Report: To recommend to Council the acceptance of a Tender

Recommendation:

- A. That Council enter into a contract with Melhemcorp for Project A – Bellevue Road intersection with Streatfield Road and Bulkara Road, Bellevue Hill for the lump sum of \$173,045 excluding GST, plus any provisional amounts used.
- B. That Council enter into a Contract with Melhemcorp for Project B – Bellevue Road intersection with Fairweather Street, Bellevue Hill for the lump sum of \$147,689 excluding GST, plus any provisional amounts used.
- C That successful and unsuccessful tenderers be advised accordingly.

Background

Council has included the construction of two roundabouts on Bellevue Road at its intersections with Streatfield Road/Bulkara Road and Fairweather Street as part of its 2010/11 Traffic Capital Works Program. The area of works to be carried out under this contract is shown on the aerial photograph below:



The tender calls for submissions on two projects. Each project is a separate project and can be completed independently of each other or concurrently. Tenderers were requested to indicate if a discount is applicable to the tendered price for being awarded both projects. None of the tendered submissions offered any discount for being offered both projects.

The scope of works to be completed for the projects includes the following:

- Removal of existing concrete pavement and construction of new central island, splitter islands, kerb extension and kerb & gutter
- Removal and reconstruction of segments of footpath and driveways;
- Road pavement milling & correction, patching and re-sheeting in asphalt;
- Construction of new kerb access ramps;
- Adjust service covers to suit new surface levels and/or reconstruction of new service boxes and/or lids;
- Reinstatement of traffic signs, parking signs and pavement line-marking;
- Protection of all existing services as required;
- Protection of street name inlays;
- Grind existing line markings and install new line markings and painted islands;
- Installation of new survey mark (SSM) on the kerb.

Invitation to Tender

Tender 11/01 for the Construction of two roundabouts in Bellevue Road, Bellevue Hill, and associated works advertised in the Tenders section of the Sydney Morning Herald commencing on Tuesday 22 February 2011, and in the Wentworth Courier on Wednesday 23 February 2011.

A pre-tender meeting was held on Wednesday 9 March 2011. All tenderers who had registered their interest in the tender were invited to attend. Questions raised by tenderers were answered and a record of the questions and answers was circulated to all tenderers who attended, or who registered on Council's website.

Tenders for this project closed at 2:30pm on Thursday 17 March 2011. Five (5) tenders were received by the closing date and time. No late tenders were received.

Tender Assessment

The tender assessment panel comprised Mr David Byatt as the convenor and independent member of the tender panel, Mr Sathiya Sathiyamoorthy as the Commissioning Officer, and Mr Sam Badalati as the Project Manager. Prior to the tender closing date, the tender panel agreed on the following weightings that would be used against the advertised selection criteria:

Cost and Pricing	45%
Demonstrated experience and capacity	25%
Program and methodology	15%
Management systems (OHS, quality and environment)	10%
Duration of works	5%

Council has resolved that a probity adviser should be included during the tender assessment stage for high risk, high value or sensitive projects. This project was deemed not to require a probity adviser.

The tenders were first checked for conformance. All the tenders were deemed to be conforming.

The tender prices were then ranked excluding any provisional amount. Provisional amounts apply where the final cost cannot be determined.

It is normal practice to allow tenderers to submit provisional rates for tasks or activities that could possibly apply, or where it is not practical to determine the quantity required. For such items provisional rates are sought from the tenderer and these are used only if applicable. Provisional amounts of \$20,000 for each project were allowed for Service Connections and Public Utility Adjustments.

The tender prices were then ranked excluding the provisional amounts.

All figures in the tables are net of GST:

TENDERER	Lump sum tender price Project A	Lump sum tender price Project B	Lump sum tender price Project A & B Combined	Time (Weeks)	
				A	B
Melhemcorp Pty Ltd	\$173,045.00	\$147,689.50	\$320,734.50	6	6
Ozpave Aus	\$174,098.64	\$150,818.61	\$325,727.25	7	5
Sydney Civil Pty Ltd	\$204,513.00	\$165,467.00	\$389,980.00	4	3
Avoca Constructions NSW	\$199,006.60	\$175,610.00	\$394,616.00	12	12
North Shore Paving	\$270,271.16	\$222,371.78	\$512,642.94	7	6.5

The tender documents were then assessed in detail, including the responses to the qualitative criteria. Lump sum prices were scored relative to the lowest price. The tenders were scored on each item of the qualitative criteria, lump sum prices and price components to achieve a total score out of 100. Tenderers were then ranked in accordance with their scores.

Project A –Bellevue Road intersecting with Bulkara Road, Bellevue Hill

TENDERER	CRITERIA					
	Cost and pricing (45%)	Demonstrated experience and capability and capability (25%)	Program and methodology (15%)	Management Systems (OH & S, Environmenta l and Quality) (10%)	Duration of works (5%)	TOTAL SCORE (100%)
Melhemcorp Pty Ltd	45	20.83	15	7.50	3.33	91.67
Ozpave Aus	44.52	19.79	3.75	8.13	2.86	79.04
Sydney Civil Pty Ltd	38.08	18.75	11.25	7.50	5.00	80.58
Avoca Constructions NSW	39.13	22.92	7.50	9.38	1.67	80.59
North Shore Paving	28.81	22.92	9.38	8.75	2.86	72.71

Project B –Bellevue Road intersecting with Fairweather Street, Bellevue Hill

TENDERER	CRITERIA					
	Cost and pricing (45%)	Demonstrated experience and capability (25%)	Program and methodology (15%)	Management Systems (OH & S, Environmental and Quality) (10%)	Duration of works (5%)	TOTAL SCORE (100%)
Melhemcorp Pty Ltd	45	20.83	15	7.50	2.5	90.83
Ozpave Aus	44.07	19.79	3.75	8.13	3	78.73
Sydney Civil Pty Ltd	40.17	18.75	11.25	7.50	5	82.67
Avoca Constructions NSW	37.85	22.92	7.50	9.38	1.25	78.89
North Shore Paving	29.89	22.92	9.38	8.75	2.31	73.24

Explanatory notes:

1. **Cost and Pricing:** Tenderers provided information on estimated quantities and rates that make up the lump sum price, with a weighting of 45%. The lowest tender price received the highest score, with all other prices ranked accordingly using the formula (lowest price/each price)x 45).
2. **Experience and capacity:** Each tender was scored on scope and complexity of past civil experience, particularly for this type of project where drainage and site access are significant issues.
3. **Program & Methodology:** Information was requested on each tenderer's approach to the project program and construction methodology to check the tenderer's ability to meet the stated works duration.
4. **Duration of Works:** The shortest duration of 4 (Proj A) and 3 (Proj B) weeks respectively received the maximum score, with others ranked according using the formula (shortest duration in weeks/each duration in weeks) x 5.
5. **Management Systems: Assessment of Quality, Environment controls and OH & S,** scored according to comprehensiveness of documentation and evidence of it being applied to past projects. The highest scores were allocated for systems with independent accreditation.

Comment

The three highest scoring tenderers are Melhemcorp Pty Ltd, Sydney Civil Pty Ltd and Avoca Constructions NSW Pty Ltd. The tender evaluation panel agreed that while both Sydney Civil and Avoca Constructions NSW would be quite capable of doing the work the price submitted by them is not price competitive and are therefore eliminated from further consideration. The panel also agreed that Melhemcorp is known to Council and does not need to be interviewed.

The roundabouts are located approximately 300 metres from each other. It is possible for both the roundabouts to be constructed concurrently, and Melhemcorp has indicated in their tender submission that they have the resources and are capable of constructing the roundabouts concurrently. The advantage of constructing the roundabouts concurrently would be earlier completion time. However, in discussions with Council's traffic staff of the merits of undertaking the construction of the two roundabouts concurrently, concerns were raised of the possible additional disruption to traffic flow in peak hour. Additionally the possibility of unforeseen issues that may arise during construction with say underground services could further exacerbate traffic conditions. Consequently it is considered any gain for quicker completion time would not compensate for possible additional disruption to the community and users of the road, and it is therefore recommended to take the more conservative option and construct each roundabout independent of each other.

Melhemcorp Pty Ltd is the highest scoring tenderer, has provided the lowest prices for both projects, and shows a very good understanding of Council's requirements for the work, as demonstrated by his tender submission and previous performance on work for which this contractor has previously completed.

Tender Assessment Panel Opinion

Melhemcorp achieved the highest overall score. This tenderer has demonstrated a very good understanding of Council's requirements of the projects and has delivered projects on time and budget. Melhemcorp communicates and works in well with the residents. The feedback received from all projects undertaken for Council has been excellent.

The tender panel agreed that Melhemcorp provides the best value to Council and recommends they be appointed to carry out the work for both projects.

Identification of Income and Expenditure:

The preferred tenderer's lump sum price is \$173,045 for Project A and \$147,689 for Project B, equating to a combined cost of \$320,734. All figures in this report exclude GST.

Expenditure to date for survey, design and setout of these two projects totals \$12,000 and project management costs for these projects are estimated as \$10,000. The total cost of these two projects therefore, exclusive of provisional amounts is \$342,734.

Council has allocated a budget of \$300,000 in the 2010/2011 Traffic Capital Works Program for the construction of these two roundabouts and therefore an additional sum of \$42,734 is required to complete these projects.

Within the current Traffic Capital Works Program, Council has budgeted a sum of \$65,029 for completion of the Paddington 40K (Project No. 00334). This project is funded by RTA grant of \$30,950 and Council funds of \$34,079. This project is linked with the replacement of the Hargrave Street footpaths (Project No.00433), which is subject to a revised design which will involve substantial community consultation. These combined Hargrave St / Paddington 40K projects will therefore not commence until early in 2011/2012. Council's contribution of \$34,079 can therefore be used for the Bellevue Road roundabout projects this year.

The remaining \$8,655 shortfall can be funded by deferring a traffic investigation project for Old South Head Road, between New South Head Road and Military Road (Project No.00599) to 2011/2012. There will be no consequence to this project being delayed 3 months. The budget for this project is \$15,000.

Recommendation:

A. That Council enter into a contract with Melhemcorp for Project A – Bellevue Road intersection with Streatfield Road and Bulkara Road, Bellevue Hill for the lump sum of \$173,045 excluding GST, plus any provisional amounts used.

B. That Council enter into a contract with Melhemcorp for Project B – Bellevue Road intersection with Fairweather Road, Bellevue Hill for the lump sum of \$147,689 excluding GST, plus any provisional amounts used.

Sam Badalati
Project Manager

Zubin Marolia
Manager Property & Projects

Tom O'Hanlon
Director Technical Services

Item No: R2 Recommendation to Council
Subject: Road Dedication – Wiston Gardens, Double Bay
Author: Anthony Sheedy, Property Officer
File No: 501.
Reason for Report: To seek approval to affix the Council Seal to the compiled Plan for Wiston Gardens land parcel, thus enabling registration of a Council Pathway for public access.

Recommendation:

Pursuant to the transfer and dedication to Council of land in Plan of Subdivision DP 15968 as Pathway; that the Council Seal be applied to the compiled plan for part residue land in Certificate of Title Volume 3728 Folio 126 & 127; being road for public access between Wiston Gardens Road and Spring St, Double Bay; to enable registration of the plan.

Background:

In late January 2010 Council received a letter from a concerned legal practitioner resident of 3 Wiston Gardens, Double Bay who drew attention to a drainage reserve known as Lot 14 in DP 15968. There had been construction at 1 Marine Parade and the vegetation upon the adjoining drainage reserve was apparently damaged during the works. The resident noted that Council had for the past 25 years used the land for drainage purposes and as a “nature reserve”. They requested revegetation of the reserve.

Although Council was using Lot 14 as drainage reserve a Title search by the resident showed that it had been dedicated to the public in 1929, but the documentary title remained as residue in the Title of the land subdivider Douglas James Robertson Doyle (Annexure 1&2). The resident requested that Council Property staff arrange for its transfer to Council by way of Gazettal notice, stating that “this drainage reserve is an essential part of the stormwater and groundwater drainage of the area and it is imperative that it be unquestionably vested in the Council, so that adjoining owners do not assume it belongs to them”. A Gazettal notice was arranged for 19 February 2010 and Lot 14 in deposited plan 15968 became vested in Council for drainage purposes.

During the Gazettal process Council’s legal advisers HWL Ebsworth Lawyers, identified that the land included the roadway known as Wiston Gardens and a 103.5 m² pathway which forms part of the residue comprised in cancelled Certificate of Title Volume 4181 Folio 182. The pathway is Torrens Title land of varying width being 2.99 m wide at Spring St and 1.44m² at Wiston Gardens, and running between properties 10 & 11 Wiston Gardens and 12 Spring St (Annexure 3). This Pathway was dedicated to the public when DP 15968 was registered in 1929 but remains in title of the subdivider Douglas Doyle. Council now needs to vest this pathway in Council Title to protect it from any claims of the adjoining owners.

HWL Ebsworth Lawyers in their letter of 6 December 2010 stated “that it is a settled proposition of the law that the registration of a plan effecting a dedication to the public; achieves the intended dedication. Under the Public Roads Act 1902 (which was repealed with effect from 1 April 1992), ‘Road’ is defined to include” any land proclaimed dedicated resumed or otherwise provided before or after the passing of this Act as a public thoroughfare or way.” Therefore, HWL Ebsworth Lawyers consider “that the dedication of the pathway to the public gave the pathway the status of a road under the repealed 1902 Act. In turn, the dedication gives the Pathway the status of a public road under the Roads Act 1993.”

“Under Section 145 (3) of the Roads Act, all public roads within a local government area (other than freeways and Crown roads) are vested in fee simple in the appropriate roads authority.” HWL Ebsworth Lawyers “note that Council is the appropriate roads authority for public roads (other than freeways and Crown roads) within the Woollahra local Government area.”

Plan Registration

HWL Ebsworth Lawyers advise that “Council may obtain registration of a compiled plan denoting the boundaries of the pathway in order for the Land and Property Management Authority (LPMA) to be able to allocate a lot number in respect of the Pathway. A compiled plan is required because DP 15968 does not clearly demarcate the boundary between the Pathway and Wiston Gardens.

HWL Ebsworth Lawyers have spoken to the Plan and Title adviser at the LPMA, who has confirmed that the LPMA will require a compiled plan in order to allocate a Lot number to the Pathway. Creation of the Lot number will then enable the LPMA to issue a certificate of Title for that Lot.” HWL Ebsworth Lawyers “recommend that if Council wants to become registered as the owner of the pathway, Council should now instruct its surveyor to prepare a compiled plan and send that plan to [them] for lodgement.”

A compiled plan has now been completed by a registered Surveyor. For registration to proceed the Council Seal must first be applied to the plan for part of land in residue Certificate of Title Volume 3728 Folio 126 &127 to enable registration of the Council road. HWL Lawyers explained that “after the compiled plan has been registered Council may apply to the Registrar-General for a Certificate of Title to the newly created lot [Pathway] by lodging a request form with the LPMA.”

Conclusion:

It is recommended that Pursuant to the transfer and dedication to Council of land in Plan of Subdivision DP 15968 as Pathway; that the Council Seal be applied to the more recent compiled plan for part residue land in Certificate of Title Volume 3728 Folio 126 &127; being road for public access between Wiston Gardens Road and Spring St, Double Bay; to enable registration of the plan.

Anthony Sheedy
Property Officer

Zubin Marolia
Manager- Property & Projects

Tom O’Hanlon
Director, Technical Services

ANNEXURES:

1. Title search Wiston Gardens Drainage reserve identified as Lot 14 in Deposited Plan 15968
2. Wiston Gardens Drainage reserve identified as Lot 14 in Deposited Plan 15968
3. Compiled Plan survey of Pathway creating Lot 1

Item No: R3 Recommended to Council
Subject: Gap Park CCTV Project Stage 2
Author: Rod Ward – Project Manager Open Space & Trees
File No: 190.G
Reason for Report: To recommend to Council an appropriate contractor to proceed with Stage 2 Gap Park CCTV works, within the regulations of the Local Government Act

Recommendation:

- A. That Council enter into a Lump Sum contract for \$508,900 (excluding GST) with Kings Security Pty Ltd for the supply and installation of a Closed Circuit Television system (CCTV) for Stage 2 of the Gap Park
- B. That in accordance with Section 55(3) of the Local Government Act, the contract be awarded without calling for tenders as engaging a supplier other than Kings Security would void the warranties for the existing CCTV system.

Background

Following an intensive and prolonged grant application process which had the support of Community champions and respected organisations including Black Dog and Life Line, Council was successful in being granted an additional \$1.2m by the Australian Government's Department of Health and Aging.

This grant will further advance the proposals in the Self Harm Minimisation Masterplan, with the next stage (Stage 2) of the Gap Park Masterplan Self Harm Minimisation Project to be completed by 30 June 2011.

The \$1.2m grant will fund 3 separable portions of work:

- Civil and electrical
- Seating and fencing
- CCTV works.

Quotations have been called and contracts awarded to Watsons Bay Constructions for the civil and electrical works; and to Australian Built Urban Design (ABUD) for the seating and fencing.

As the value of the proposed CCTV work exceeds \$150,000, normally tenders would be called for the work; however Section 55 (3) of the Local Government Act states that the requirement for tendering does not apply to contracts when "a council decides by resolution (which states the reasons for the decision) that a satisfactory result would not be achieved by inviting tenders.

Proposal to re-engage Kings Security

Kings Security were engaged for the Stage 1 CCTV works following a rigorous, competitive tender process. The works were successfully completed and the system is operating well and is of great assistance the NSW Police with suicide investigative matters.

The main reason that a satisfactory result would not be achieved by inviting tenders is that Kings Security have provided a 3 year warranty for the existing equipment. If another company is engaged to build onto the existing system the current warranties will be void exposing Council to possible significant costs if the existing CCTV infrastructure and equipment should fail.

With their knowledge of the existing system and with recent advances in technology Kings Security Systems can upgrade the overall system to improve the speed and operating efficiency of the CCTV system. These improvements will be from the head end (where the images are recorded and uploaded via DSL) to the monitoring service, and to the camera equipment used at priority locations.

Kings Security provided a schedule of rates and amounts from the previous tender by which we can determine that new works are inline with previous costings. The consultant Security Consultants International (SCI) has reviewed Stage 2 costings submitted by Kings Security and is satisfied they are comparable with previous schedules.

Stage 2 proposal from Kings Security:

The two main objectives of the Stage 2 of the CCTV system are:

- the supply and installation of 5 thermal/analogue cameras and poles
- Integration with the existing system and Digital Video Recording unit and DSL transmission to remote monitoring service

The total cost for the Stage 2 CCTV works is \$508,900. For this Kings Security Systems will provide the following:

- 5 x dual thermal analogue MOOG cameras, lenses, housings, poles and associated equipment
- Equipment installation, cabling, civil works (including underground directional drilling to minimise environmental impacts); and making good of sites
- Warranties
- 12 months defects liability period
- Supply and install dual channel fibre receivers and transmitters in existing poles number 1 and 3 to allow the use of the new proposed MOOG dual channel thermal cameras for these locations.
- The existing Bosch thermal units will be relocated to the new proposed camera poles 1 and 4.
- Supply and Install 2 new pinhole cameras in the help points along with media converters.
- Provide new warranty for the entire system to 3rd March 2013.
- Provide free of charge off site monitoring to 3rd March 2014
- Carry out full routine service of existing equipment.
- Update all Pre sets and design new configuration to accommodate the new cameras.
- Provide remote access for Woollahra Council and Rose Bay Police if requested.

Tendering Time Constraints

To qualify for the funding under the terms of Agreement with the Department of Health and Aging the works are to be completed by 30 June 2011. This deadline will not be met if normal tendering processes are followed as this generally requires a 10 week period from advertising of tender to signing of contract. This is then followed by a period for the contractor to organise the project with the ordering of materials, products and subcontractors. If this deadline is not met the funding will be withdrawn.

Identification of Income and Expenditure:

The project will be funded by the sum of up to \$1.2m that has been offered to Council under the Federal Governments Department of Health and Aging Standard Funding Agreement for the Gap Park self harm minimisation works,

Conclusions:

Kings Security should be engaged to undertake Stage 2 works for the following reasons:

1. The existing warranties would not be honoured for the existing CCTV equipment including materials and labour that extend until 3 March 2013 if other CCTV suppliers are allowed to integrate their systems into the existing system.
2. To expedite the works to meet the Department of Health and Aging deadline of 30 June 2011.

The most recent grant funding will allow Council to enter into a Lump Sum contract for \$508,900 (excluding GST) with Kings Security Pty Ltd for the supply and installation of the Gap Park CCTV system Stage 2.

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Space and Trees

Tom O'Hanlon Director
Technical Services

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Annexures: NIL

POLITICAL DONATIONS DECISION MAKING FLOWCHART FOR THE INFORMATION OF COUNCILLORS

