



general
purpose
committee

2
section

infrastructure

GENERAL PURPOSE COMMITTEE - INFRASTRUCTURE

Table of Contents

Meeting Date: 27 November 2001

Page 2

ITEM	SUBJECT	PAGE
SECTION 2 - INFRASTRUCTURE.		
59:	Contract for Operation and Caretaking - Lower Portland Ferry GT020/412 Pt1, GT240/010 Pt4/ENG/INK27LBX.E06	3
60:	Water Tanker Filling Point - Old Bells Line of Road/Kurrajong Road, Kurrajong GW020/008 Pt3/ENG/INK27LBX.E07	5
61:	2001/2002 Works Program - Amendment GT230/011/ENG/INK27LCX.E08	7

oooO END OF TABLE OF CONTENTS Oooo

ITEM: 59 Contract for Operation and Caretaking - Lower Portland Ferry**FILE NUMBER:** GT020/412 Pt1, GT240/010 Pt4/ENG/INK27LBX.E06

REPORT:

Negotiations have been undertaken with Darren Osmotherly of Paradise Afloat Houseboats in regard to his submission for the operation of the Lower Portland Ferry and it appears that he has mechanisms in place which will enable him to fulfill the requirements of the contract. He has, however, advised that he wishes to keep the operation of the Lower Portland Ferry as a separate entity to his current company which is involved with the construction and operation of houseboats. To this end he has formed another company which would specifically operate the Lower Portland Ferry, this company being called Hawkesbury Ferry Services, and has requested that the contract to operate the Lower Portland Ferry be formalised utilising that company name.

As part of the process which is currently being undertaken it is necessary to formally resolve the reasons for declining to invite fresh tenders by either:

- open tendering; or,
- selective tendering by which invitations to tender for proposed contract are made following public advertisement asking for expressions of interest; or,
- selective tendering by which recognised contractors listed by Council are invited to tender for particular kinds of proposed contracts based on the same or different details; or,
- invite fresh applications by the selective tendering method by which invitations to tender for proposed contracts are made following public advertisement asking for expressions of interest from persons interested in tendering for the proposed contract; or,
- invite fresh applications by a selective tendering method by which recognised contractors listed by Council are invited to tender for particular kinds of proposed contracts from persons interested in tendering for contracts as the same kind as the proposed contract.

The reason for declining to invite fresh tenders or applications as outlined are the same in all circumstances in that tenders for the operation for the Lower Portland Ferry had been called twice with only two tenders being received in the first instance and one in the second instance. Open tendering or selective tendering following further public advertisement would be unlikely to result in additional tenderers as the only recognised contractors for service of this type had tendered previously.

Since resolving to enter into negotiations with Mr Osmotherly, correspondence has been received from Solicitors Shaddick, Baker & Paull on behalf of Macca's Ferry Services Pty Limited raising concerns that amongst other things they had submitted two tenders in good faith, having their tender prices publicly disclosed through Council's Business Papers, giving the opportunity to other parties to undercut their price, to ultimately enter into a contract for the operation of the ferry service. They

have advised that they have been able to revise their operation on the basis of being assured by the Industrial Relations Commission that its Australian Workplace Agreement would be approved for the employment of family members and can now undertake the operation of the ferry service for a

contract sum of \$530,000.00 GST inclusive

for a term of 36 months operating within the hours of 5am to 9pm Monday to Sunday with a stand-by operator residing in the ferry residence to operate outside the above hours. The offer of Mr Osmotherly for the same service is

..... \$546,600.00 GST inclusive

It is noted that Macca's Ferry Services had the opportunity, prior to 28 August 2001 to advise Council of a revision of operations resulting in a reduction in price and they also have now had the opportunity of Mr Osmotherly's submission being public knowledge. It is also noted that Council has formally resolved to enter into a contract with Mr Osmotherly to operate the Lower Portland Ferry subject to conditions.

RECOMMENDATION:

That Council exercising its delegation as Committee of the whole:

1. Declined to invite fresh tenders or applications as referred to in the Local Government Tendering Regulation for the caretaking and operation of the Lower Portland Ferry Service, as tenders had been called twice with only 2 (two) tenders being received in the first instance and 1 (one) in the second instance. Open tendering for selective tendering following further public advertisement would be unlikely to result in additional tenderers as the only recognised contractors for service of this type had tendered previously.
2. The contract for operation and caretaking of the Lower Portland Ferry Service when formalised be with Hawkesbury Ferry Services.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF ITEM 59 Oooo

ITEM: 60 **Water Tanker Filling Point - Old Bells Line of Road/Kurrajong Road, Kurrajong**

FILE NUMBER: GW020/008 Pt3/ENG/INK27LBX.E07

REPORT:

For many years there has been an overhead filling point at the intersection of Old Bells Line of Road/Kurrajong Road, Kurrajong for water tankers delivering water to residences in areas outside the reticulated water supply system. There were also overhead standpipes located in North Richmond, Wilberforce and Pitt Town. Council up to 1998 was bearing the cost of the supply of water from these facilities with the beneficiary of the service, that is, those people residing in outer areas only being required to pay for the cartage charges by the water carters. In 1998 Council resolved that the overhead standpipes be removed, with the water carters being required to utilise metered standpipes which were supplied by Sydney Water, thus transferring the cost of the service to those who benefitted from it. A garden sized tap was left at each of these locations to enable residents utilising small containers to still avail themselves of this service.

Following the removal of the overhead standpipes, Sydney Water provided hydrants at these locations which could be utilised by water carters to fill their tankers. As well as these locations there are a number of other hydrant filling points authorised by Sydney Water throughout the reticulated water area.

In response to requests from water carters in relation to the time taken for their tanks to be filled, Sydney Water has amplified the service mains at both Kurrajong and North Richmond. Since undertaking the amplification of the mains the service at the intersection of Old Bells Line of Road and Kurrajong Road, Kurrajong has been improved to the extent that the number of tankers utilising this site is causing a problem to immediate neighbours. Complaints have been received in relation to the number of trucks, associated noise and the extended hours that the facility is being used. They have also drawn attention to the fact that many trucks also utilise the residential area of Kurrajong including passing a kindergarten and hospital to access the site. The complainants have requested that this filling point be closed down immediately and have had discussions with a representative of Sydney Water who has informed them that Sydney Water would have no objection to the water filling station being closed and should Council decide to close the facility all water carters would be notified in writing that the facility would not be an authorised filling station.

On the basis that there are four alternative locations where water carters can fill in Kurrajong and two in North Richmond it is proposed to recommend that the current tanker filling station at the intersection of Old Bells Line of Road and Kurrajong Road, Kurrajong be closed for use by commercial tankers with the small diameter filling point remaining in use.

RECOMMENDATION:

That Sydney Water be requested to close the water tanker filling facility at the intersection of Old Bells Line of Road and Kurrajong Road, Kurrajong with the small diameter filling point for residents to be retained.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF ITEM 60 Oooo

ITEM: 61 **2001/2002 Works Program - Amendment****FILE NUMBER:** GT230/011/ENG/INK27LCX.E08**PREVIOUS ITEM:** 71, GPC Section 1 - Environment (31.07.2001)**PREVIOUS ITEM:** 71, Ordinary (14.08.2001)**PREVIOUS ITEM:** 55, GPC Section 2 - Infrastructure (27.11.2001)

REPORT:**Additional Information**

The report in the Business Paper requires some clarification regarding Council's resolution in relation to the construction of a link road between Arkell Drive, Bligh Park and Berger Road, South Windsor and in relation to the funding sources for this project.

The original report indicates that Council at its Ordinary Meeting held on 14 August 2001, resolved not to proceed with the construction of the link road this financial year. A motion was moved that the Hobbs Street/Berger Road link be constructed within the current financial year, however this motion was lost and there was no further resolution regarding the matter. Council did however resolve at its Special Meeting held on 25 June 2001 that:

"The following be identified as possible sources of funding for the construction of a road between Bligh Park and South Windsor should Council resolve to undertake this project:

- (a) the roadwork components of the Financial Assistance Grants increases, being \$7,168.00 (seven thousand one hundred and sixty eight dollars) and \$43,056.00 (forty three thousand and fifty six dollars); and*
- (b) \$10,302.00 (ten thousand three hundred and two dollars) from the sealed roads maintenance allocation (being the increase made to that allocation since the Special Meeting on 7 May 2001);*
- (c) \$37,000.00 (thirty seven thousand dollars) of the \$700,000.00 (seven hundred thousand dollars) allocation made for road construction at the Special Meeting on 7 May 2001."*

The report was brought forward to re-allocate those funds identified in an effort to have them expended within the current financial year. The methodology utilised was to reinstate those projects which were removed from the 2001/2002 Works Program, add a project which has become urgent, i.e. the intersection of Old East Kurrajong Road with Creek Ridge Road, and to bring forward works from the 2002/2003 Works Program for the remainder of funding.

Additional links between Bligh Park and South Windsor as part of the development of North Bligh Park have been identified and should North Bligh Park be developed in the future, it would be possible to ensure that adequate links are provided as part of the planning process. These links could be funded from contributions by developers under Section 94 or alternatively as conditions of consent relating to development.

RECOMMENDATION:

That the information be received.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF ITEM 61 Oooo