



Ordinary Council

LATE REPORTS

Business Paper

date of meeting: Wednesday, 20 March 2013

location: Council Chambers, Port Macquarie

time: 5.30pm

Note: Council is distributing this agenda on the strict understanding that the publication and/or announcement of any material from the Paper before the meeting not be such as to presume the outcome of consideration of the matters thereon.



**PORT MACQUARIE
HASTINGS**

Council's Vision

A sustainable high quality of life for all.

Council's Mission

To provide regional leadership and meet the community's needs in an equitable and inclusive way that enhances the area's environmental, social and economic qualities.

Council's Corporate Values

- ★ Sustainability
- ★ Excellence in Service Delivery
- ★ Consultation and Communication
- ★ Openness and Accountability
- ★ Community Advocacy

Council's Guiding Principles

- ★ Ensuring good governance
- ★ Looking after our people
- ★ Helping our community prosper
- ★ Looking after our environment
- ★ Planning & providing our infrastructure



**PORT MACQUARIE
HASTINGS**

How Members of the Public Can Have Their Say at Council Meetings

Council has a commitment to providing members of the public with an input into Council's decision making. The Council's Code of Meeting Practice provides two (2) avenues for members of the public to address Council on issues of interest or concern at the Ordinary Council Meeting. These are:

Addressing Council on an Agenda Item:

If the matter **is** listed in the Council Business Paper, you can request to address Council by:

- Completing the *Request to Speak on an Agenda Item at a Council Meeting*, which can be obtained from Council's Offices at Laurieton, Port Macquarie and Wauchope or by downloading it from Council's website.
- On-line at <http://www.hastings.nsw.gov.au/www/html/2924-addressing-a-council-meeting-in-relation-to-an-agenda-item.asp?intSiteID=1>

Your request to address Council must be received by Council no later than 4:30pm on the day prior to the Council Meeting.

Council's Code of Meeting Practice sets out the following guidelines for addressing Council:

- Addresses will be limited to 5 minutes.
- If you wish any written information, drawings or photos to be distributed to the Council to support the address, two (2) copies should be provided to the Group Manager Governance & Executive Services prior to the commencement of the meeting.
- Where speakers wish to make an audio visual presentation, a copy is to be provided to the Group Manager Governance & Executive Services by 4.30pm on the day prior to the Council Meeting.
- Council will permit only two (2) speakers "Supporting" and two (2) speakers "Opposing" the *Recommendation* contained in the Business Paper. If there are more than two speakers supporting and opposing, the Mayor will request the speakers to determine who will address Council.

Addressing Council in the Public Forum:

If the matter **is not** listed in the Council Business Paper, you can request to address Council by:

- Completing the *Request to Speak in the Public Forum at Ordinary Council Meeting*, which can be obtained from Council's Offices at Laurieton, Port Macquarie and Wauchope or by downloading it from Council's website.
- On-line at <http://www.hastings.nsw.gov.au/www/html/2926-addressing-council-in-the-council-meeting-public-forum.asp?intSiteID=1>

Your request to address Council must be received by Council no later than 4:30pm on the day prior to the Council Meeting.

A maximum of eight (8) speakers will be heard in the Public Forum. Each speaker will be limited to 5 minutes. Council may ask questions of speakers but speakers **cannot** ask questions of Council.

Council will not determine matters raised in the Public Forum session, however may resolve to call for a further report, when appropriate.

Speakers will be allowed to address Council in the Public Forum on the same issue no more than three (3) times in each calendar year. (Representatives of incorporated community groups may be exempted from this restriction).



**PORT MACQUARIE
HASTINGS**

Ordinary Council Meeting

Wednesday, 20 March 2013

LATE REPORTS

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**PORT MACQUARIE
HASTINGS**

Item: 06.02

Subject: MAYORAL MINUTE - PORT MACQUARIE FORESHORE DRAFT PLAN OF MANAGEMENT

Mayor, Peter Besseling

RECOMMENDATION

That a Port Macquarie-Hastings Council submission on the Hastings Regional Crown Reserve Precinct A, be forwarded to NSW Trade & Investment Crown Lands Taree, focussing on the following issues:

- 1. An Overarching Principle be included in the final Plan of Management that allocates any funding received through the sale, lease or development of existing Crown assets within (or adjacent to) the Hastings Regional Crown Reserve Precinct A, towards funding public benefit works along the Port Macquarie foreshore.**
- 2. No relocation of existing commercial moorings to the western side of Kooloonbung Creek is supported, until detailed consultation, environmental assessments and hydrological studies are undertaken and properly considered.**

Discussion

The Hastings Regional Crown Reserve Precinct A covers the majority of the Port Macquarie foreshore area, stretching from Settlement Point in the north to Flagstaff Point in the east. Crown Lands has prepared a draft Plan of Management for the area (with the exception of Westport Park which is covered by a separate Plan) with the following vision:

"To develop the Port Macquarie CBD waterfront as vibrant and interactive, that is recognised as an Australian icon and strengthens the local economy."

The original draft Hastings Regional Crown Reserve - Precinct A Plan of Management was developed in 2009 and exhibited in early 2010.

Following community opposition to the proposals for the development of parts of Westport Park, particularly development of the Marina site and adjoining lands, the Westport Park Plan of Management was developed in 2011 and adopted by the Minister for Lands in July 2012. This Plan reflected the terms of dedication and is based on maintaining the area for public open space uses.

In 2012, Port Macquarie-Hastings Council and the Foreshore Lands Advisory Group advocated for the finalisation of a Plan of Management for the remainder of the foreshore.

The current draft Hastings Regional Crown Reserve Precinct A Plan of Management was subsequently updated and is on public exhibition until 22 March 2013.

The Plan of Management will provide the framework to guide the future development and management of the Port Macquarie Crown foreshore and waterway (ie. submerged Crown lands), with the aim of upgrading port, commercial, recreation and public facilities along the waterfront.

Commercial opportunities within or adjacent to Crown assets identified in the Draft Plan of Management, have the very real potential to provide a funding stream for other works identified as part of the foreshore enhancement. This is particularly true for the area known as the "Plaza Carpark" site along Short Street, where commercial development is likely provide a large financial benefit. In order to meet the long term objectives of the Plan of Management, such financial benefits should remain within the area identified by the Plan of Management on behalf of the broader community. This should be recognised as being one of the Overarching Principles of the final Plan of Management in order to provide for a sustainable approach to providing and maintaining foreshore infrastructure.

Along with previous Drafts, the current Draft Plan of Management provides for the following key outcome in relation to existing commercial moorings:

"Commercial moorings relocated to the western side of Kooloonbung Creek harbour, together with reconfiguration of Hollingsworth Street to provide for parking and service access needs, while maximising views to the waterfront. Provision of supporting infrastructure to commercial moorings include a central/ integrated ticketing office, kiosk, café or small restaurant, and a small plaza and seating. This arrangement will enhance the maritime feel within the redeveloped harbour while allowing solutions to current safety, site presentation and management issues."

Councillors have been approached by a number of commercial operators who are concerned with the lack of consultation with themselves and local restaurant/cafes about the plans to relocate the moorings. Concerns have also been expressed about the environmental impact and capacity for dredging of the Kooloonbung Creek entrance where the proposed future moorings will be located.

Attachments

Nil

Planning and Providing Our Infrastructure

What are we trying to achieve?

Our population growth is supported through public infrastructure, land use and development strategies that create a connected, sustainable and accessible community.

What will the result be?

- Supported and integrated communities.
- Infrastructure provision and maintenance that respects community expectations and needs.
- A natural environment that can be accessed by a network of footpaths, cycleways, coastal and hinterland walkways.
- Accessible, convenient and affordable public transport.
- Employment and population growth that is clustered within urban centres.

How do we get there?

- 5.1 Create and maintain integrated transport system that eases access between population centres and services.
- 5.2 Ensure transport options are safe, functional and meet access needs across the Local Government Area.
- 5.3 Develop and enhance quality open space and recreational facilities.
- 5.4 Plan settlements to accommodate a range of compatible land uses and projected population growth.

Planning and Providing Our Infrastructure

Item: 12.11

Subject: PRIORITY ROAD INFRASTRUCTURE PROJECTS

Presented by: General Manager, Craig Swift-McNair

Alignment with Delivery Program

5.2.1 Plan and implement traffic and road safety programs and activities.

RECOMMENDATION

That in relation to Roads Infrastructure projects, Council:

- 1. Allocate the highest priority to the Stingray Creek Bridge Upgrade; Reconstruction of Houston Mitchell Drive; Hastings River Drive upgrade to four lanes from Gordon Street to Boundary Street and commence reconstruction of Beechwood Road.**
- 2. Write to the Minister for Roads and Ports, Hon. Duncan Gay, seeking to meet with him regarding traffic congestion and safety program funding for Hastings River Drive.**
- 3. Allocate appropriate funding in the 2013/14 budget for works as discussed in the report for Stingray Creek Bridge Upgrade, Houston Mitchell Drive, Hastings River Drive and Beechwood Road, as discussed in this report.**
- 4. Seek assistance from NSW Treasury Corporation (T-Corp) to review Council's financial position based on proposed borrowings outlined in this report.**

Executive Summary

Council needs to determine the highest priority projects for which scarce funding can be allocated. Based on the system that Council uses to allocate priorities to roads identified as needing either refurbishment, reconstruction or resealing or a combination of all three, the following projects have been identified for immediate funding:

1. Stingray Creek Bridge refurbishment of existing bridge to provide necessary structural improvements, a wider deck for vehicles as well as a wider pedestrian walkway on the bridge. The cost of these works is in the order of \$3-5m.
2. Houston Mitchell Drive reconstruction of approx. 4km of the existing road from Ocean Drive to The Pacific Highway. The cost of these sections is in the order of \$9m.
3. Hastings River Drive. Reconstruction to four lane dual carriageway from Gordon Street to Boundary Street, commencing from Gordon Street through to Aston Street and then the upgrade of the Newport Island Road intersection. Any remaining funds are planned to allow commencement of upgrades of

Planning and Providing Our Infrastructure

Hughes Place to Boundary Street. The cost of these works is in the order of \$10m.

4. Beechwood Road reconstruction of segment 20 (Waugh Street to Wauchope Racecourse), segment 40 (249 Beechwood Road to Intersection with Pembroke Road) and segment 50 (from intersection with Pembroke Road to 506 Beechwood Road). The cost of these segment upgrades is in the order of \$4.5m.

Discussion

Council currently has a significant backlog of infrastructure works associated with the road network that services the Local Government Area (LGA). Delivery of the level of upgrade required to service the current and future traffic needs will require funding in the order of Five Hundred Million Dollars. The current financial position of Council does not allow for funding to be allocated that could deliver these upgrades within a timeline to provide ongoing sustainable road services for the community.

At the February 2013 Ordinary Council Meeting, a report was tabled outlining current funding arrangements relating to Port Macquarie-Hastings Council, the adequacy of those arrangements to practically service the Local Government Area and discussion on alternative sustainable funding models that could be reasonably developed to improve the position of Council, with a view to Council:

1. Determining a settled and consistent position for lobbying purposes with other levels of government;
2. Using the information as a basis for further development through the Mid North Coast Regional Organisation of Councils; and
3. Advancement of the agenda through constituent bodies such as the Local Government Association.

In the short term Council needs to determine the highest priority projects for which scarce funding can be allocated. Based on the system that Council has recently introduced to allocate priorities to roads identified as needing either refurbishment, reconstruction or resealing or a combination of all three, the following projects have been identified as a high priority for immediate funding:

1. Stingray Creek Bridge refurbishment of existing bridge to provide necessary structural improvements including a wider deck for vehicles as well as a wider pedestrian walkway on the bridge. The cost of these works is in the order of \$3-5m.
2. Houston Mitchell Drive reconstruction of approx. 4km of the existing road from Ocean Drive to The Pacific Highway. The cost of these works is in the order of \$9m.
3. Hastings River Drive. Reconstruction to four lane dual carriageway from Gordon Street to Boundary Street, commencing from Gordon Street through to Aston Street and then the upgrade of the Newport Island Road intersection. Any remaining funds are planned to allow commencement of upgrades of Hughes Place to Boundary Street. The cost of these works is in the order of \$10m.
4. Beechwood Road reconstruction of segment 20 (Waugh Street to Wauchope Racecourse not including realignment of the road and replacement of the Yippen Creek Bridge. Add an additional \$2.5m for this work), segment 40 (249 Beechwood Road to Intersection with Pembroke Road) and s segment

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50 (from intersection with Pembroke Road to 506 Beechwood Road). The cost of these segments is in the order of \$4.5m.

Stingray Creek Bridge

At the February 2013 Ordinary Council Meeting, Council a report considered the options for the replacement/refurbishment of the bridge across Stingray Creek that connects Laurieton and North Haven. As a result of Council's decision, the **attached** letter was forwarded to the Minister for Roads and Ports. At the time of writing this report a response has not been received from the Minister.

From a sound financial perspective the Council needs to carefully consider the most appropriate option for the renewal and replacement of assets. In the case of Stingray Creek Bridge, 3 options are available and have significant cost differentials associated between these options and the estimated cost of each option is as follows:

1. Refurbish the existing bridge and increase the current 18 tonne load limit to 30 tonne \$2-3m.
2. Refurbish the existing bridge and remove the load limit \$5-6m.
3. Construct a new bridge to replace the existing structure \$16m.

The option that provides necessary structural improvements and delivers a deck with an improved vehicle movement capacity together with better pedestrian access is option 1 at a cost of \$2-3m. This outcome will extend the life of the existing bridge for a minimum of 20 years with a significantly improved level of service. It is recommended that, depending on the advice from the Minister, Council list for consideration in the 2013/14 budget the refurbishment of the existing bridge at an estimated cost of \$2-3m.

Houston Mitchell Drive

The reconstruction of this main artery that links Ocean Drive to the Pacific Highway ranks in the top ten road projects under Council's road assessment and ranking system. The need for the upgrade of this road is further supported by the recent announcement by the State Government to build a State Primary School to service Lake Cathie, Bonny Hills and surrounding areas. The school is to be located in Area 14, close to the intersection of Ocean Drive and Houston Mitchell Drive. This new school is proposed to commence operations in term 1 - 2015. Current and planned land use developments in Area 14 will also increase demand for improvements to Houston Mitchell Drive.

In Council's draft 2013/14 budget funds have been identified for preconstruction activities to be undertaken, to ensure Council is ready for construction should funding assistance be provided to advance the works.

It is recommended that Council make application under the LIRS for funding of \$10m for the reconstruction of this road.

Hastings River Drive

Recently Council wrote to the Minister for Roads and Ports seeking to transfer funding from Ocean Drive to Hastings River Drive. The Minister responded (see **attached**) and a précis from the letter as follows:

In the lead up to the NSW election, the Coalition committed \$10 million to upgrade

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Ocean Drive to four lanes between Matthew Flinders Drive and Greenmeadows Drive, Port Macquarie as part of the \$200 million congestion and safety package.

Projects such as this on regional roads are to be fully developed and delivered by the council, with Roads and Maritime Services (RMS) administering the available funding as a special grant.

Regrettably, the council's proposal to transfer the special \$10 million grant committed to the Ocean Drive project to another project on Hastings River Drive is not appropriate as this funding is aimed at improving traffic congestion and road safety. RMS funding will be offered as outlined previously in the NSW Government's commitment.

Council's Road assessment and priority identification system identifies Hastings River Drive as not only a higher priority for funding but also that traffic congestion and safety related issues currently rank higher than the needs of Ocean Drive. The community have voiced strong concerns on the safety of Hastings River Drive, specifically the lack of pedestrian facilities between Gordon and Aston Streets as well as numerous complaints regarding the safety of the Newport Island Road intersection.

It is recommended that Council seek a meeting with the Minister for Roads and Ports to discuss the possible reallocation of funding from Ocean Drive to Hastings River Drive.

Beechwood Road

This road that connects outlying areas to Wauchope requires a significant allocation of funds to reconstruct a number of sections to provide a safe road for traffic movements. The highest priority sections of this road are as follows and have an estimated cost of \$4.5m to construct:

1. Segment 20 (Waugh Street to Wauchope Racecourse);
2. Segment 40 (249 Beechwood Road to Intersection with Pembroke Road);
and
3. Segment 50 (from intersection with Pembroke Road to 506 Beechwood Road).

It is recommended that Council allocate an amount of \$0.5m in the 2013/14 budget for preconstruction work for this road, to ensure Council is ready for construction should financial assistance for this road be provided.

Roads funding comparison

NSW GOVERNMENT COMMITMENT

	Total Cost	NSW Government	Council loan required
Stingray Creek Bridge	\$16 Million	\$6 Million	\$10 Million
Ocean Drive Duplication	\$25 Million	\$10 Million	\$15 Million
Houston Mitchell Drive	\$10 Million	\$0	\$10 Million
Hastings River Drive	\$10 Million	\$0	\$10 Million

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TOTAL COSTS	\$61 Million	\$16 Million	\$45 million
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PORT MACQUARIE-HASTINGS COUNCIL PROPOSAL

	Total Cost	NSW Government	Council loan required
Stingray Creek Bridge	\$3 Million	\$?	\$3 Million
Ocean Drive Duplication	N/A	N/A	\$0
Houston Mitchell Drive	\$10 Million	\$0	\$10 Million
Hastings River Drive	\$10 Million	\$10 Million*	\$0
Beechwood Road (pre-construction)	\$1 Million	\$0	\$1 Million
TOTAL COSTS	\$24 Million	\$10 Million	\$14 Million

*Pending transfer approval

TOTAL COSTS	NSW Government	Council loan required
NSW Government Commitment	\$16 Million	\$45 Million
Port Macquarie – Hastings Council Proposal	\$10 Million	\$14 Million
SAVINGS	\$6 Million	\$31 Million

Transport Works Program Ranking

The following eight criteria are used to assess each Transport Works program item (i.e. road, Bridges, drainage, kerbing and gutter, footpath/cycle ways, and pedestrian facilities).

Safety Risk - The degree of risk to public safety as a result of the current asset condition or design standards.

Asset Condition - The current condition assessment of the asset as shown in the Asset Register.

Strategic Alignment - The extent to which the project aligns with current adopted corporate goals, strategies or policy.

Funding Assistance - The eligibility of the project for external financial assistance or >33% of funding from Section(S) 94.

Economic Benefit - The resultant positive economic benefits to the community derived through the project.

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Community Benefit - The extent of community benefit derived from the project.

Environmental Benefit - The extent of environmental improvement derived from the project.

Project Readiness - The status of the detailed designs, environmental approvals and cost estimates.

Top 20 Road Projects

Road or Street	Project Description
Houston Mitchell Drive	Reconstruction Ocean Drive to Pacific Highway
Hastings River Drive	Park To Aston Street Including Footpath -Stage 1
Gordon Street	Reconstruction Horton St To Lake Road
Ocean Drive	Crestwood To Pacific Drive - Dish Drain And AC Resheet
Hastings River Drive	Hughes Place to Hibbard Drive West
Hastings River Drive	Hibbard Drive West To Boundary Street, Reconstruction 4 Lane Median Separated Carriageway
Findlay Avenue	Pavement rehabilitation Oxley Hwy to Hastings River Drive Seg 10
Ocean Drive	Crestwood To Old Maher Road - AC Resheet
Gore Street	Pavement rehabilitation - Bridge to Gordon Streets seg 40
Hollingworth Street	Pavement rehabilitation Gordon to Buller streets Seg 30
Beechwood Road	Beechwood Rd/Driveway 249 - Int Pembroke Rd - Seg 40
Beechwood Road	Bains Dairy Access To Rosewood Road, 2 Lane Rural Road With On-Road Cycleway
Hastings River Drive	Gordon To Park Streets, Reconstruction 4 Lane Median Separated Carriageway.
Houston Mitchell Drive	Houston Mitchell Dr/Ocean Dr To Mark On Rd - Seg 10
Ocean Drive	Stage 3 reconstruction Denehurst Place to Ackroyd St
Lake Road	Reconstruction Ocean Dr To Oxley Highway Stage 4 - Central Rd To Jindalee , Including Intersection Treatments
Lord Street	Pavement rehabilitation - Crisp to Hill Streets -Seg 30
Beechwood Road	Waugh To Bains Dairy Access, Reconstruction 2 Lane Rural Road With On - Road Cycleway
Hastings River Drive	Upgrade to Traffic Signals - Intersection Of Hastings River Drive & Boundary Street 40166
Hastings River Drive	Traffic signals intersection of Aston Street -Stage 1

The following projects are of high interest within the community and the current ranking does not place them in the top 20:

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- Ocean Drive - Greenmeadows Dr south to Matthew Flinders Drive duplication to dual carriageway;
- Ocean Drive upgrades through Lake Cathie;
- Ocean Drive upgrades through Bonny Hills;
- Bago Road upgrades, due to the various segments with differing asset condition and safety implications; and
- Lake Road upgrade between Oxley Highway and Ocean Drive.

Options

Seek additional funding from State and Federal Governments towards these projects.

Community Engagement & Internal Consultation

- Mayor
- General Manager
- Director Infrastructure Services
- Group Manager Infrastructure Operations
- Group Manager Technical Services

Planning & Policy Implications

Preconstruction works need to be finalised for each of the nominated projects. These activities are consistent with Council's recent approach to planning for major works, recognising it is not possible to complete pre-construction and construction of major projects in one (1) financial year.

Financial & Economic Implications

Sufficient funds need to be allocated in the 2013/14 budget to enable these projects to proceed.

Please refer to the confidential attachments titled "T-Corp Report - Local Infrastructure Renewal Scheme" and "T-Corp Benchmarking update for Port Macquarie-Hastings Council" which contain information that relates to commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Local Government Act 1993 - Section 10A(2)(d)(i).

Attachments

1. Letter to Hon Duncan Gay regarding funding for Stingray Creek Bridge
2. Response from Hon Duncan Gay regarding funding transfer from Ocean Drive
3. T-Corp Report - Local Infrastructure Renewal Scheme (Confidential)
4. T-Corp Benchmarking update for Port Macquarie-Hastings Council (Confidential)

Planning and Providing Our Infrastructure

Item: 12.12

Subject: PORT MACQUARIE INDOOR STADIUM EXPANSION - FINAL CONCEPT PLANS

Presented by: Infrastructure & Asset Management, Jeffery Sharp

Alignment with Delivery Program

5.3.1 Plan, investigate and design for the delivery of open spaces and recreational facilities.

RECOMMENDATION

That Council:

1. Acknowledge the submissions from the community included within this report.
2. Adopt the attached suite of concept plan documents as the final concept for this project.
3. Provide the architect with copies of community submissions for consideration during detailed design for this facility.
4. Proceed to undertake the detailed design, lodge a Development Application and complete the further statutory approvals phase for project.
5. Delegate to the Mayor and General Manager authority to formalise and sign the PCYC Participation Agreement and future leases for this facility.

Executive Summary

The purpose of this report is outline the community engagement process undertaken this year to date, and to present the final draft concepts for the Port Macquarie Indoor Stadium expansion project to Council for consideration.

Discussion

Port Macquarie-Hastings Council has been successful in obtaining \$5.3 million in State and Federal grant funding to expand the Port Macquarie indoor stadium, including \$2.5 million for the incorporation of PCYC facilities and a further \$2.8 million Federal Government grant through the Community Infrastructure Grants Program (CIG) to provide for two additional indoor multi-purpose sports courts.

As outlined to Council previously, funding committed for the Port Macquarie Indoor Stadium expansion under the CIG program is only available until 30 June 2014 and is contingent on all statutory approvals being granted for the project and provision of project costings to the satisfaction of the Department of Regional Australia, Local Government, Arts & Sport before a formal funding agreement is entered into and funding being formally made available for the stadium expansion.

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The PCYC funding allocation of \$2.5 million also has time constraints, with project completion within the current term of state government.

This project was the subject of a report to Council considered at the Ordinary Meeting held on 12 December 2012 where it was resolved that:

- 1. That Council note the previous application to, and acceptance by the NSW Government for the inclusion of a PCYC within an expanded Port Macquarie indoor stadium.*
- 2. That Council endorse the decision made by the former Council Administrator for an expanded indoor stadium facility that includes a PCYC.*
- 3. That a memorandum of understanding be developed between Council and the PCYC that specifies an agreed manner of operation and upkeep and ensures minimum disruption to nearby residents*
- 4. That the style, size and design of the expanded facility be considered in a rigorous community engagement process using the concept plan as included within this report as a starting point.*
- 5. That the outcomes of this community engagement process proceed to a development application process by March 2013 enabling issues such as safety, parking, noise, neighborhood amenity and other matters raised by residents in the consultation to date, are examined and reported upon to Council for a decision prior to lodgment of the development application.*

A number of community engagement activities associated with this project have been undertaken since October 2012, detail of which is included in the Community Engagement & Internal Consultation section of this report.

There are several studies/reports currently under development to support lodgment of Development Application for this project in the future. These include Statement of Environmental Effects, Noise Study, Traffic Study and Social Impact Assessment.

Additional work is still required should Council proceed with the expanded facility including a PCYC on the operational model. To this end, Council staff will meet with current users of the facility to ensure their needs are best incorporated into both the Participation Agreement with the PCYC and also any future leases established within the Stadium.

Options

Council has the option of adopting the recommendations as presented, not proceeding at all with the proposed expansion including a PCYC or alternatively, Council can opt to undertake further community engagement regarding this project before proceeding to detailed design and approvals phase.

Further engagement is not supported by staff due to the work undertaken to date, the broader community support for the project that has become evident through the community engagement process and the time constraints associated with the CIG allocation.

Community Engagement & Internal Consultation

As mentioned in the previous report to Council, initial community consultation regarding this project commenced with a community forum held on 11 October 2012

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at Councils SES Facility – Central Road. The forum was attended by the Mayor, Council Staff, NSW PCYC CEO, Mr Chris Gardiner, Project Architect, Mr Stephen Johansson (Facility Design Group) and other stakeholders with approximately 70 members of the public also in attendance.

In addition to this two community forums were held during Stage 2 of the engagement. The first held on Thursday 31 January 2013 aimed to provide information and gain feedback on the revised concept design of the building and the related issues such as noise, traffic generations and parking. At this forum it was determined that revised design plans would be made available to the community in late February 2013. It should be noted that there was delay with achieving this objective and the revised plans were not exhibited until 5 March 2013.

The second stage 2 forum, held on Wednesday 13 February 2013, presented an opportunity for prospective tenants, including the PCYC, to present the model of their operation and respond to community questions in order for the community to better understand their potential impacts on the proposed expansion plans. It was made clear that any design content or questions would be addressed outside of this forum. This forum was facilitated by Straight Talk who have provided a summary report to Council regarding this event. This report is attached for information.

Both of these forums were well attended by the community and key stakeholder groups and attendees and other interested persons were invited to make submissions to Council regarding the project.

To assist with the proposed building design and to aid to ensure ongoing issues were considered, Council established a Community Reference Group (CRG). Chaired by Councillor Levido, the CRG had a focus on the building design outcomes and were established at the community forum held on 31 January 2012.

The CRG worked extremely well together, with representatives from the local community, stadium users, PCYC, Basketball Association and Councils Director Infrastructure Services. The CRG held a number of open and frank discussions on all aspects of the proposed expansion which has proved to be very beneficial in producing a final concept design of the facility.

The CRG looked at the draft concept, proposed modifications as part of the public exhibition process, were able to discuss details of the building form and function with the design architect allowing understanding as to why the entrance needed to be onto Hibbard Drive and not to the north as had been requested by some community members, and other facility features including car parking, Kiss and Drop zones, general access and the desire to limit pedestrian movements directly onto Hibbard Drive.

There has also been consultation with Mr Chris Gardiner (NSW PCYC CEO) on this facility design and documentation process. Mr Gardiner has confirmed he is satisfied with the final draft concept plans as exhibited. Consultation with Mr Gardiner regarding the Memorandum of Understanding and associated documentation is ongoing but is progressing well. Ultimately a Participation Agreement document is required to be entered into between Council and the PCYC should the Council move to develop this facility.

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Final draft concepts for this project were developed from feedback gathered during Stage 2 engagement and from the CRG. These plans were publically exhibited from 5th to 12th March 2013. Concept plans were exhibited on Council's online engagement tool, PMHC Listening, as well as in Council offices.

During these exhibition periods 19 submissions were received. These submissions have been included in the table below:

Submission Port Macquarie Indoor Stadium Expansion		Comment
1.	Hibbard Drive Residents (31 January 2013 - prior to development of final draft concept)	Attached to report for information.
	Response/ Comment:	Further submission received from this stakeholder group during Public Exhibition period 5 - 12 March 2013. This submission is outlined in detail in this table.
2.	Michael Harris (5 February 2013 - prior to development of final draft concept)	Looks good. Having used the stadium for the past 25yrs, the issue has always been spectator seating - especially during carnivals. There does not seem to be enough spectator seating in these concepts. Plenty of room to just stand around, but if you want to watch what's actually happening on the courts...
	Response/ Comment:	The configuration of the stadium makes it difficult to accommodate additional fixed spectator seating within the current plan. There is potential for temporary spectator seating to be utilised within this facility should demand exist and resources allow.
3.	Norman & Maureen Bonarius (6 February 2013 - prior to development of final draft concept)	Submission included an alternative floor plan design aimed at reducing noise and traffic impacts for Hibbard Drive Residents. Request for soundproofing improvements to existing facility (removal of vents and doors from Hibbard Drive frontage; landscaping treatment; lining of interior walls). Consider one way traffic flow and installation of traffic calming devices in car parking areas. Proposes installation of roundabout at Hibbard & Hastings River Drives intersection.

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	Response/ Comment:	<p>The grant funding provided by the Federal Government is for stadium expansion works including two new courts and cannot be spent on improvements to the existing facility.</p> <p>There is currently no funding identified for improvements to the existing facility to address climate and noise issues. Council will need to consider this matter in future budget allocations.</p> <p>A traffic study is currently under development to support the future development application for this project.</p> <p>The CRG discussed various floor plans presented by this and other users in consultation with Facility Design Group prior to the presentation of the final concept plans.</p>
4.	Graham & Janice McGilchrist (8 February 2013 - prior to development of final draft concept)	<p>While the design of the proposed addition to the Indoor Sports Stadium is aesthetically attractive, we fear it lacks a few critical elements. Firstly, buses are regularly involved in transporting teams to the existing site. There would be at least 4 to 6 buses at some events and, as the attached picture shows, many, many more buses for major carnivals. If the new Stadium hopes to attract even larger numbers, then it is fair to assume even more buses would be involved. Parking, additional to that already shown on the plan, should be provided for buses.</p> <p>Secondly, the existing Indoor Sports Stadium needs refurbishing to address noise and climate control issues. We have been told that no money has been set aside for improved ventilation or A/C or sound-proofing. \$2.8 million dollars was awarded to the Indoor Sports Stadium for improvements, so it SHOULD BE IMPROVED.</p> <p>Finally, problems already exist with traffic movement at the intersection of Hibbard Drive (East) and Hastings River Drive. Motorists doing U-turns, parked cars hindering the view up Hastings River Drive, pedestrian movement during sporting events all contribute to a somewhat dangerous environment. Again, the risk of accident or injury must be heightened with additional motor and pedestrian traffic and should be carefully considered in future plans.</p>

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	Response/ Comment:	<p>The grant funding provided by the Federal Government is for stadium expansion works including two new courts and cannot be spent on improvements to the existing facility.</p> <p>There is currently no funding identified for improvements to the existing facility to address climate and noise issues. Council will need to consider this matter in future budget allocations.</p> <p>A traffic study is currently under development to support the future development application for this project, however the concept now includes provision for 6 buses within the proposed car park layout.</p>
5.	<p>Port Macquarie Gymnastics Club (Bruce Oliver)</p> <p>(10 February 2013 - prior to development of final draft concept)</p>	<p>The extension of the Indoor Stadium is of concern to the PMQGC. Because of the design format the Club's premises will have no "shop front" and little visible exposure. The children, our customers, and their parents will be disadvantaged gaining access to the facility because of the distance from the front door position in the proposed design, and the lack of close parking afforded by the redesigned car park. The proposed internal design is not conducive to the club's responsibility of Child Protection.</p> <p>The inevitable closures of operation during construction will place a financial burden that will not be able to be recouped without fees increases, a move that always decreases membership numbers. Summer training in the gym can be less than pleasant when the NE breeze fails. The new design will compromise ventilation to the gym. Winters will also be colder caused by the lack of sunshine warming the exterior of the building during the day. Exterior ventilation to the toilets will be blocked off by the new building. The existing fans are less than effective.</p> <p>PMQGC premises will be in a lovely, big, flash building, complete with a large foyer, coffee shop and access to other sports and recreations. We may draw new members from passing trade in this facility.</p> <p>Port Macquarie will again be able to host the NSW Country Championships, the largest single gymnastics competition in the Southern Hemisphere. Great for the town, a lot of work for the Club, with modest financial gain to the club.</p>

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	Response/ Comment:	<p>Please note that Port Macquarie Gymnastics Club have had membership within the CRG.</p> <p>Impacts for user groups during construction will be considered within the project plan. Consultation with impacted users will occur prior to, and during, construction activity. Efforts will be made to minimise impacts on all user groups.</p> <p>Any expansion of this facility will impact on access to the gymnastics club due to existing building configuration. Allowances have been made within the final draft concept for a Kiss and Drop zone fronting Hibbard Drive in direct response to this issue.</p> <p>Impacts on solar access and ventilation are noted and will be discussed with the architect during the detailed design phase.</p>
6.	<p>Terry Minahan (10 February 2013 - prior to development of final draft concept)</p>	<p>Submission included an alternative floor plan design including traffic linkage to Wood Street.</p> <p>Exhibited facility design is counter to resident needs.</p> <p>In accordance with Stuart Park Plan of Management residents concerns must be responded to and that future plans must consider such concerns.</p> <p>PCYC component has governed proposals since the start.</p> <p>No PCYC.</p> <p>Building alignment to enable expansive entrances for all amenities to the north west.</p> <p>Include fencing and landscaping along Hibbard Drive to direct pedestrian and vehicle traffic to NW entrance.</p> <p>No parking from Hastings River Dr to first entrance to parking area.</p> <p>Air conditioning of all buildings and associated solar power.</p> <p>Appropriate external surveillance of car park and entrance.</p> <p>Courtyard and entrance from north west of section allotments.</p>
	Response/ Comment:	<p>The grant funding provided by the Federal Government is for stadium expansion works including two new courts and cannot be spent on improvements to the existing facility.</p> <p>There is currently no funding identified for improvements to the</p>

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		<p>existing facility to address climate and noise issues. Council will need to consider this matter in future budget allocations.</p> <p>The CRG discussed entry/exit opportunity onto Wood Street and considered that future links with ongoing development of Stuart Park may be possible.</p> <p>Comments regarding No Parking are noted and supported by the CRG. The author advises that a traffic study is currently under development to support the future development application for this project and these features will be incorporated in that study.</p>
7.	<p>Geoff Bynon (6 March 2012)</p>	<p>Revised plans appear to provide a reasonable compromise between what is required by the stadium users and close residents. My original concern was for the residents living directly opposite and my concerns remain to a certain extent. I would like to see planning provision for access to at least 50% of car park access and 100% of bus access via the roundabout at Hastings River Drive into Woods Street. If funding will not permit at this time at least make provision for this in an overall masterplan.</p>
	<p>Response/ Comment:</p>	<p>A traffic study is currently under development to support the future development application for this project.</p>
8.	<p>Graham & Janice McGilchrist (submission 2) (7 March 2012)</p>	<p>We are still wanting to see evidence that some of the funding will be used to upgrade the existing indoor sports stadium - noise reduction, ventilation etc.</p>
	<p>Response/ Comment:</p>	<p>The grant funding provided by the Federal Government is for stadium expansion works including two new courts and cannot be spent on improvements to the existing facility.</p> <p>There is currently no funding identified for improvements to the existing facility to address climate and noise issues. Council will need to consider this matter in future budget allocations.</p>
9.	<p>David Edgerley (8 March 2012)</p>	<p>Looks great, and needed by the community. Suggest a purpose built drop off zone which allows vehicles to come in, drop off and return to Hibbard Drive separately to others seeking to park and stay</p>
	<p>Response/ Comment:</p>	<p>A traffic study is currently under development to support the future</p>

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		development application for this project, which includes provision for a Kiss and Drop zone and improved safety along Hibbard Drive.
10.	Graham Keena (8 March 2012)	<p>I am not in a good position to comment as I don't use the facility or know anyone who does, so I am better to rely on the experts and people who are involved in its use and operation.</p> <p>My only comment is that it is good that there is funding available for such a purpose.</p>
	Response/ Comment:	Noted
11.	Nicole Marzan (8 March 2012)	<p>I'm impressed with the floor layout of the stadium and the car parking arrangements. I believe this will be a fantastic facility once completed.</p> <p>Was any consideration given to an indoor pool to complement the stadium expansion?</p>
	Response/ Comment:	Stuart Park has been considered as a potential site for an aquatic facility when the current facility requires replacement. An appropriate site selection process will be undertaken during the facility planning phase for this project.
12.	Kerry and Ros Street (8 March 2012)	What a great idea for our town.
	Response/ Comment:	Noted
13.	Tim Jordan (9 March 2012)	I don't support the expansion. Given the councils need to increase rates each year council needs look at directing all available funds into funding its general budget rather than new projects. Until council can balance its current budget it shouldn't be spending any money on new projects.
	Response/ Comment:	Budget for this project is provided by state and federal governments. The ultimate operating model for this expanded facility is yet to be determined. The inclusion of the café and office

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		leasing spaces present income opportunities that do not exist within the existing facility.
14.	David Hobday (10 March 2012)	The revised building plans and site layout appear logical and are visually appealing. The parking area makes sense as this could ultimately provide vehicle access from Woods St to alleviate traffic congestion on Hibbard Drive. In the interest of local noise control perhaps the fire doors could be relocated to the Hastings River Drive side, with appropriate safety screens.
	Response/ Comment:	<p>A traffic study is currently under development to support the future development application for this project.</p> <p>The grant funding provided by the Federal Government is for stadium expansion works including two new courts and cannot be spent on improvements to the existing facility.</p> <p>There is currently no funding identified for improvements to the existing facility to address climate and noise issues. Council will need to consider this matter in future budget allocations.</p>
15.	Louise Brown (11 March 2012)	The plans are impressive. I am a regular user of the facilities - with myself and my daughter playing netball, basketball and volleyball.
	Response/ Comment:	Noted
16.	Etelka Wilson (11 March 2012)	<p>Concept Plans B 5.3.13</p> <p>These revised plans are strongly supported in that they provide the best available solution for nearby residents and users, particularly children and young families.</p> <p>No parking and Kiss and Drop zones at the Hibbard Drive frontage along with an exit from the new car park to Woods Street will offer further improvements.</p> <p>The lack of modification to the existing stadium is a major concern. Relocation of the existing fire doors and roller door on the eastern wall; installation of devices to prevent balls hitting metal walls and improved ventilation are</p>

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		essential changes.
	Response/ Comment:	<p>The grant funding provided by the Federal Government is for stadium expansion works including two new courts and cannot be spent on improvements to the existing facility.</p> <p>There is currently no funding identified for improvements to the existing facility to address climate and noise issues. Council will need to consider this matter in future budget allocations.</p> <p>Comment regarding the Kiss and Drop and No Parking zones are noted and supported by the CRG. The author advises that a traffic study is currently under development to support the future development application for this project and these features will be incorporated in that study.</p>
17.	Ian Thresher (11 March 2012)	The revised concept is an excellent layout with many facilities. My concern is what budget is available to support the work of getting people, especially youth, into the centre and off/away from the streets and venues of dubious value to their development.
	Response/ Comment:	<p>Council currently provides support to a number of groups/organizations who provide programs for youth within our community.</p> <p>In addition to this the aims of PCYC are to:</p> <ul style="list-style-type: none"> • get young people active in life through a range of sporting, recreational and educational experiences • help young people to develop their skills, character and leadership through programs that focus on values and community belonging • assist in reducing crime by and against young people by providing positive interactions with Police, targeting local needs & building a sense of citizenship within the communities in which we work.
18.	Hibbard Drive residents (Graham Wilson) (11 March 2012)	<p>These plans are strongly supported on the basis that they provide the best available options for improved solutions to concerns expressed by residents. Particular features noted are:</p> <p>New car park design – reduction of traffic congregation on Hibbard Drive; parking closer to stadium for parents with young children; bus parking and turning area off Hibbard Drive; safer pedestrian walkway between car park and stadium; reduced need for large numbers of pedestrians, particularly children, to</p>

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	<p>congregate on Hibbard Drive at stadium entry and elimination of need for vehicles, particularly buses to travel north on Hibbard Drive (leads to narrow western section of Hibbard Drive that is extremely unsafe for high traffic volume). Landscaping and modified main entry increase privacy for residents, directly opposite stadium, and increases pedestrian safety.</p> <p>The opportunity for internal design features to address child protection, supervision, safety, ventilation and noise control issues.</p> <p>It is submitted that the following enhancements would significantly increase the safety and amenity for both users and residents:</p> <p>Define the entire street bay on Hibbard Drive between the traffic islands shown on plans A01, A04, A05, A06 as a <i>Kiss & Drop Zone</i> – this will allow safe set down from passing traffic, restrict parking / congregation of vehicles and improve traffic flow, as well as providing a readily available area for emergency vehicles.</p> <p>Define the kerb area between the intersection of Hastings River Drive and Hibbard Drive and the traffic island at the commencement of the <i>Kiss & Drop Zone</i> as a <i>No Parking Zone</i> – this will significantly increase visibility for motorists and consequently safety for everyone in the vicinity of the intersection and the concentrated traffic at the street frontage of both the existing and new facilities.</p> <p>Ensure that the car park design can allow an entry or exit to or from Woods Street – this would allow the development of one way traffic flow, particularly for buses (i.e. entry from Hibbard Drive and exit through Woods Street eliminating need for return to Hibbard Drive) and further reconfiguration of the car park.</p> <p>Provide a mound and increased vegetation in the area between the suggested kiss & drop zone and the pedestrian walkway to / from the car park (see plan A06) – this will increase privacy for residents and reduce noise from patrons entering and leaving the stadium.</p>
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		<p>Provide increased screening at the front of the coffee shop by vegetation or decorative screen / stadium logo or signage – this will increase privacy for residents.</p> <p>Take urgent steps to eliminate U-turns regularly performed at Hastings River and Hibbard Drives intersection – this is an accident waiting to happen and could be immediately resolved with minimal cost by the installation of appropriate signage and policing action – there is an existing roundabout, on Hastings River Drive, a short distance west of the intersection in question, that caters for motorists’ needs to change direction. Construction traffic and increased future usage of the stadium will only increase the risk of a serious accident / fatality.</p> <p>It is of extreme concern that the concept plans do not include any improvements to the existing stadium. Increased usage will exacerbate the already significant impact on the amenity of residents.</p> <p>It is submitted that the following actions would enhance the amenity of residents and improve safety for users:</p> <p>Remove the existing fire doors on the eastern wall (Hibbard Drive), reinstate the wall and create new fire doors on the southern wall (Hastings River Drive); create appropriate screen to prevent children / balls from moving on to roadway – reduces flow of noise to residents and increases privacy; greater space on Hastings River Drive (see plan A01) to create ‘cool down area’ for players, particularly children.</p> <p>Remove the existing large roller door, for ambulance access on the eastern wall (Hibbard Drive) and reinstate the wall. Ambulance access is available through the main entry of the expanded stadium and the recommended <i>Kiss & Drop Zone</i> will ensure that parking is always available - reduces flow of noise to residents as door is currently regularly open.</p> <p>Install noise reduction devices, such as netting to prevent balls hitting metal walls</p>
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		<p>- reduces flow of noise. Improve ventilation in conjunction with ventilation measures in new facility – improves amenity for users.</p>
19.	<p>Terry Minahan (12 March 2012)</p>	<p>The grant funding provided by the Federal Government is for stadium expansion works including two new courts and cannot be spent on improvements to the existing facility.</p> <p>There is currently no funding identified for improvements to the existing facility to address climate and noise issues. Council will need to consider this matter in future budget allocations.</p> <p>Comments regarding extension of the Kiss and Drop and vehicle access onto Wood Street are noted and supported by the CRG. The author advises that a traffic study is currently under development to support the future development application for this project and these features will be incorporated in that study.</p> <p>Council staff will investigate concerns regarding U-turn concerns at corner of Hastings River and Hibbard Drives.</p> <p>Comments regarding mounding, screening and landscaping to improve resident privacy are noted and will be provided to architect for consideration during detailed design.</p> <p>There has been no significant variations to the floor plans of the PCYC / Stadium from versions 4 February, 1012 to 5 March, 2013. Plans presented at each stage of review have failed to hear calls from residents to re-orientate the entrance to the North, North-West or West.</p> <p>A PCYC Unit should not be near residential area (evidence from Kempsey and Taree PCYC surveys. These plans put a PCYC unit at the front door of residents.</p> <p>The floor plans (3.5.13) indicate that a PCYC Unit is now closer to residents' houses through the provision of storage rooms. Elevations of the new building will also bring people closer to houses.</p> <p>The proposed PCYC shop-front and café should not have windows with direct viewing into residents' homes.</p> <p>The Gymnastics Centre is still engulfed by the new designs. A west entrance would solve this problem.</p>

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		<p>There is no disability access via fire-doors from the new basketball area (northern end).</p> <p>New car park plans represent a gross encroachment onto existing “green-space / park”. This is not part of the land purchased by Council in 1960’s and counter to the Plan of Management of Stewart Park.</p> <p>Additional parking must be reconfigured to flank the back of Wave Bowl and John Patrick Motors – not unjustly consume vast areas of existing recreation / sporting areas.</p> <p>A direct access / exit link must be provided for one-way traffic flow to a Woods Street exit.</p> <p>Bus parking zone must be provided with more room to reverse and exit via Woods Street.</p> <p>Main vehicle entrance from Hibbard Drive must be widened to accommodate buses and major traffic volumes. (current plans do not indicate true width of all road exits / entries off Hibbard.</p>
<p>Response/ Comment:</p>	<p>The detailed design for this facility will be assessed against Building Code of Australia requirements which include disability access provisions.</p> <p>Parking and traffic concerns raised in this submission will be considered as part of a traffic study currently under development to support the future development application for this project.</p> <p>The CRG discussed entry/exit opportunity onto Wood Street and considered that future links with ongoing development of Stuart Park may be possible.</p> <p>Proposed car parking configuration would result in loss of one sporting field from the current Stuart Park configuration. Council staff are in the process of developing sport facility master plans for Wayne Richards Park, Stuart Park and Tuffins Lane. Proposed improvements for Stuart Park will complement the stadium expansion and provide better multi-use options for this site than currently exist.</p> <p>Comments regarding siting of Gymnastics Club within the proposed facility are noted. Consultation with this club has occurred throughout the engagement process associated with this project and also as an active member of the CRG.</p>	



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There are a number of recurrent themes include within the submissions including:

Concerns about noise and climate associated with the existing facility - as mentioned in the submission table above, the existing grant allocation from state and federal government do not allow for improvements to the existing facility.

Extension of Kiss & Drop zone - this was flagged in a number of submissions. A traffic study, currently under development, will investigate this.

Provision of additional bus parking - the traffic study being undertaken at present may take this matter into account, although the concept allows for 6 bus parking bays.

Provision of road access across to Wood Street - traffic circulation associated with the current site and the proposed facility will be considered during the development of the traffic study.

Two submissions raised concerns about the impact of the facility expansion on the operation of the gymnastics club. As mentioned in the submission table, any expansion of this facility will impact on access to the gymnastics club due to the way the existing facility is configured. This has been fully considered by the architect and key stakeholders in the development of concept plans to date. It should be noted that the inclusion of the Kiss and Drop zone within the concept plans are a direct outcome of discussion with the club. The gymnastics club have acknowledged in their submission that the expanded facility will have positive and negative elements for their operation.

The loss of one sporting field from the current Stuart Park configuration as a result of the proposed car park layout was also a concern. Sport facility master plans for Wayne Richards Park, Stuart Park and Tuffins Lane are currently under development. Proposed improvements for the Stuart Park precinct will complement the stadium expansion and will also provide for better multi-use options for this site than are currently available.

It is important to acknowledge that a majority of the submissions were supportive of the final draft concept plan, and on this basis it is recommended that Council proceed to detailed design and approvals stage for the Port Macquarie Indoor Stadium Expansion project.

Planning & Policy Implications

The expansion of the Indoor Stadium project will require statutory approvals (DA, CC, S68 & S138) prior to commencement of any construction activities.

A Social Impact Assessment, a noise study and a parking/traffic management study are currently under development to support future development application associated with this project. There may be other studies also required which will be determined through the design process.

It should be noted that should Council approve proceeding, any Development Application (with supporting information) will be again on public exhibition prior to determination.

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Financial & Economic Implications

The full financial implications are not yet known as detailed design and associated costings for specific components have not been developed.

Funding committed for the Port Macquarie Indoor Stadium expansion under the CIG program is only available until 30 June 2014. This commitment is reliant upon all statutory approvals being granted for the project and provision of project costings to the satisfaction of the Department of Regional Australia, Local Government, Arts & Sport before a formal funding agreement is entered into and funding being formally made available for the stadium expansion.

The PCYC allocation of \$2.5 million also has time constraints, with project completion within the current term of state government.

Attachments

1. Port Macquarie Indoor Stadium Expansion Site Plan
2. Port Macquarie Indoor Stadium Expansion Floor Plan
3. Port Macquarie Indoor Stadium Expansion elevations
4. Port Macquarie Indoor Stadium Expansion - view from Hibbard Drive
5. Port Macquarie Indoor Stadium Expansion - view from Hibbard Drive, southern approach
6. Port Macquarie Indoor Stadium Expansion north-east perspective
7. Port Macquarie Indoor Stadium Expansion north east view
8. Port Macquarie Indoor Stadium Expansion main entry view
9. Tenants and Community Forum Report 13 February 2013
10. Submission Hibbard Drive Residents 31 January 2013

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Item: 12.13

Subject: TENDER T-13-05 KOOLONBUNG CREEK PEDESTRIAN BRIDGE

Presented by: Infrastructure & Asset Management, Jeffery Sharp

Alignment with Delivery Program

5.1.2 Construct road and transport assets.

RECOMMENDATION

That Council:

1. **Accept the preliminary lump sum of \$774,413 (excl GST) based on the submitted schedule of rates and additional items from Fleetwood Urban Pty Ltd for Design and Construction of Kooloonbung Creek Footbridge.**
2. **Affix the seal of Council to the necessary documents.**

Executive Summary

Council resolved at the meeting 28 November 2012 to:

1. *Invite tenders for the design and construction of a 2.5m wide pedestrian bridge across Kooloonbung Creek parallel to and approximately 5m downstream (ie north of) the existing Buller Street traffic bridge. The pedestrian bridge to be a single span cable stay structure.*
2. *Negotiate with Essential Energy to achieve relocation of the existing 11KV overhead powerline crossing of Kooloonbung Creek in the vicinity of the bridge and endorse provision of Town Centre Masterplan funds to underwrite the associated design and construction costs.*
3. *In reference to the funding agreement between the Commonwealth of Australia and the Port Macquarie-Hastings Council, dated 19 June 2012, allocate \$600,000 of the \$1 million grant to the costs of the bridge.*
4. *Undertake a Level 2 inspection of the Buller Street traffic bridge.*

Tenders have been invited in accordance with Council's resolution. The purpose of this report is to advise Council on the assessment of the tenders received for the design and construction of a low profile single span, 2.4m wide pedestrian bridge across Kooloonbung Creek and to recommend a successful tenderer to be appointed for this project.

Discussion

Background:

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Pedestrian access across Kooloonbung Creek has been the subject of a number of planning and design investigations, particularly since the adoption of the Town Centre Master Plan (TCMP) 1994.

Council's initial investigations in 1996 identified options to widen the existing Buller Street road bridge walkways. These options were not pursued as a funding priority for Council at that time.

Planning for the Port Macquarie foreshores during 2007 highlighted the importance of a pedestrian link across Kooloonbung Creek to ensure connectivity between the planned foreshore walkways.

TCMP also highlighted the need for the pedestrian link. During 2011 the TCMP Sub-Committee supported a "stand alone" pedestrian bridge downstream of the Buller Street road bridge.

Concept design options for a "stand alone" pedestrian bridge have been considered and consulted with the wider community and key stakeholders. Council resolved 28th November 2012 to invite tenders for the design and construction of a low profile single span, 2.4m wide pedestrian bridge across Kooloonbung Creek parallel to and approximately five (5) metres downstream of the existing Buller Street bridge.

The project procurement method is Design, Novate and Construct in accordance with AS 4300-1995 – General Conditions of Contract for Design and Construct. A copy of the Tender documents is attached for information.

Council has a current contract with Opus International Consultants (NSW) Pty Ltd ('the Consultant') to provide a design for the works. The design has been completed to 30% stage. The contract has been renegotiated with Opus to align with the current Design, Novate and Construct Tender.

At the commencement of the contract, the Design and Construct Contractor ('the Contractor') shall be required to promptly engage the Consultant (Opus) by executing a Deed of Novation in accordance with Clause 10 of AS 4300-1995. The Contractor is responsible for completion of the Design Documents utilising the Consultant to undertake all design documentation in accordance with Councils' Project Requirements.

This tender was advertised on 05 February 2013 and closed on 05 March 2013. During the tender period, some seventy-three (73) individual organisations downloaded the tender documents from Council's tendering website.

At the time of closing, six (6) submissions were received from the following organisations, shown in no particular order:

- Bannister Building Pty Ltd;
- Australian Prestressing Services Pty Ltd;
- Fleetwood Urban Pty Ltd;
- Talis Civil Pty Ltd;
- Wagners CFT Manufacturing Pty Ltd;
- Waeger Bridges.

A Tender Evaluation Panel (TEP) was formed which included the following staff:

- Group Manager – Infrastructure Operations;

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- Group Manager - Technical Services;
- Principle Design Engineer;
- Town Centre Master Plan Committee Member - Project Working Party Delegate;
- Procurement Coordinator (Probity Advisor).

At the time of advertising an on-site meeting was not considered necessary by the TEP however during the advertising period, a number of requests were received from contractors for Council to conduct a non-mandatory on-site meeting. Due to the number of site specific clarification questions received in relation to this tender, the TEP agreed to conduct such a meeting to respond to these questions. A non-mandatory on-site meeting was conducted on 27 March 2013 which was attended by representatives from six (6) organisations. All those companies that had downloaded the tender documents were notified and given the opportunity to attend this meeting. The questions and subsequent responses raised at this meeting were circulated to all organisations that had downloaded the tender documents in the form of an Addendum immediately following the meeting.

An initial compliance check was conducted during the week following the closing of the tender by the Procurement Coordinator to identify submissions that were non-conforming with the immediate requirements of the Request for Tender (RFT). This included compliance with contractual requirements and provision of requested information.

All tenderers had completed all schedules and addressed the specified criteria and were therefore considered conforming and further evaluated. Whilst all tenderers were deemed to be conforming, it should be noted that the tender from Wagners partially completed the required schedule of rates. The TEP considered the option of excluding Wagners at this stage as a non-conforming tender however agreed to continue to include their tender in the evaluation as all schedules were returned. It was clear that the Wagner submission did not include a number of items in this schedule due to the alternate composite materials proposed.

The qualitative criteria assessment was carried out individually by the Evaluation Panel Members in the days following the closing of the tender with Panel Members scoring the tenders in accordance with the Tender Evaluation Management Plan. An evaluation meeting was held on 8 March 2013. At this meeting the individual scores were combined and summarised to demonstrate a ranking for priced and non-priced criteria. Each submission was then discussed in detail.

Please refer to the confidential spreadsheet titled "T-13-05 Evaluation & Pricing Analysis" which details the final evaluation scores for the tenders as determined by the Evaluation Panel and lists the tender prices offered by each of the tenderers. This analysis contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business. Local Government Act 1993 – Section 10A(2(c)).

Please note, there are five (5) pages to the above-mentioned spreadsheet, four (4) demonstrating the individual panel members scores and one (1) showing the combined scores and the tendered pricing.

A review was conducted of each submission to gain a clear understanding of each proposal and ensure there were no compliance issues or inconsistencies between

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the scores from the TEP. It should be noted that a number of inconsistencies were identified within all submissions relating to the pricing component of the tender schedules. It was discussed and agreed that all tenderers be offered the opportunity to clarify the pricing offered to provide the TEP with consistency when evaluating the submission and provide a clear understanding of the proposed pricing. These clarifications were requested and received before a second evaluation meeting was conducted on 13 March.

At the second evaluation meeting all submissions and responses to the clarification questions were again discussed in detail. Whilst a price for the decking components was not requested in the bill of quantities, all tenderers with the exception of Bannister had provided a price as an additional item. For the purposes of evaluation a price equal to the lowest price submitted for decking was added to the Bannister submission. It should be noted that this was done for evaluation purposes only and did not alter the final result.

Having conducted these discussions it was the consensus of the TEP that the submission from Fleetwood Urban was ranked most favourably once the scores for both priced and non-priced criteria were combined. It should also be noted that the price offered from Fleetwood Urban was well below the average of the six (6) submissions received.

Due to favourable ranking against both the priced and non-priced criteria the TEP recommend to accept the tender received from Fleetwood Urban Pty Ltd for Design and Construction of Kooloonbung Creek Footbridge.

Options

Council's options when considering Tenders is limited to the Local Government (General) Regulation 2005 - Reg 178 as follows;

Council must either a) Accept the tender that, having regard to all the circumstances, appears to it to be the most advantageous, or b) Decline to accept any of the tenders.

A Council that decides not to accept any of the tenders for a proposed contract or receives no tenders for the proposed contract must, by resolution, do one of the following:

- (a) postpone or cancel the proposal for the contract,*
- (b) invite, in accordance with clause 167, 168 or 169, fresh tenders based on the same or different details,*
- (c) invite, in accordance with clause 168, fresh applications from persons interested in tendering for the proposed contract,*
- (d) invite, in accordance with clause 169, fresh applications from persons interested in tendering for contracts of the same kind as the proposed contract,*
- (e) enter into negotiations with any person (whether or not the person was a tenderer) with a view to entering into a contract in relation to the subject matter of the tender,*
- (f) carry out the requirements of the proposed contract itself.*

If a council resolves to enter into negotiations as referred to in subclause (3) (e), the resolution must state the following:

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- (a) the council's reasons for declining to invite fresh tenders or applications as referred to in subclause (3) (b)-(d),
(b) the council's reasons for determining to enter into negotiations with the person or persons referred to in subclause (3) (e).

Council has the option not to endorse the recommendation of the TEP, provided Council, in accepting a Tenderer it is satisfied "that, having regard to all the circumstances, appears to it to be the most advantageous". Otherwise Council must decline to accept any of the Tenders and proceed per the Regulations above.

In accepting a Tender Council should be prepared to give reasons to ensure probity in the process.

Community Engagement & Internal Consultation

The proposal for a pedestrian bridge across Kooloonbung Creek has been endorsed through the development of the Port Macquarie Foreshore Management Plan which involved considerable community, agency and other stakeholder consultations.

Design options and locations were exhibited for community comment between the 10th October and 8th November 2012. The exhibition included a mail out of information to residents in the surrounding area; an onsite information session; media releases and website information with sixty two (62) submissions received.

Further consultations during the Tender period have been held between Council project management and procurement staff, the design consultant Opus and the Town Centre Master Plan Committee. A project working party has been formed and is represented by Councillor Hawkins, Council project staff and TCMP Committee (3) representatives. Ongoing consultations through working party meetings have been held and are proposed to continue as a communication channel through to Council /community and key agencies throughout the design and implementation phases of the project.

Planning & Policy Implications

The proposal for a pedestrian bridge across Kooloonbung Creek aligns with Council's Town Centre and Foreshore planning. The Port Macquarie Foreshore and Town Centre Master Plans identify this facility as a key outcome to ensure pedestrian connectivity within the locality. The proposal also aligns with Council's Access and Mobility policy ensuring equal access for all pedestrians.

Financial & Economic Implications

The construction of the pedestrian footbridge will have positive economic implications through improved access to the town centre.

It has previously been reported to Council in November 2012 that the concept designs developed for consideration to date estimated construction costs in the range of \$450,000 to \$550,000, excluding footpath connections, utility adjustments and public lighting.

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It was also reported that the preliminary estimate is to be further reviewed in conjunction with the preparation of the detailed designs and environmental assessments. Council has resolved \$600,000 of the Federal Grant be allocated towards the costs of the bridge. The current budget stands as follows;

Federal Grant	\$600,000
Special Business Rate (TCMP)	<u>\$273,677</u>
Total	\$873,677

The preliminary lump sum of the recommended Tenderer (Fleetwood Urban) amounts to \$774,413, including utility adjustments, decking, novated design, shop detailed drawings and project team management.

Although a potential budget savings in the vicinity of \$100,000 is indicated at this stage, it is to be noted that the Contractor has pursuant to the Contract, scope for price variations as the project progresses through the 60% to 90% detailed design phases. Section 4 Services Specification - 3. Lump Sum states;

The Contractor shall complete and execute the design and construction of the work under the Contract for the agreed Lump Sum.

*Throughout the design process the Contractor shall advise the Superintendent of any recommended design changes providing full details, valuation and impact on the program. Valuation of the design change shall include any additional Consultant's fees to revise the design. The **Contractor and Superintendent shall negotiate** the value of any design changes in good faith. The Contractor shall not proceed with any design changes without the approval in writing of the Superintendent.*

*At completion of the Design Documents the Lump Sum will be revised to incorporate the **agreed** design changes.*

Council therefore as the Principal to the Contract, has the scope to control through the Superintendent agreement with the Contractor, cost variations brought about by any design outcomes. Scope for other variations for latent (unknown conditions) conditions may arise, a normal risk for any construction contract. No other potential for significant variations are anticipated at this stage.

Any budget adjustments required will be reported to Council for approval prior to construction commencement.

Attachments

1. Kooloonbung Creek Pedestrian Bridge 28 November 2012
2. T-13-05 Evaluation & Pricing Analysis (Confidential)
3. T-13-05 Tender Documents - Kooloonbung Creek Footbridge