
MINUTES of the Council Meeting of the Horsham Rural City Council held online and livestreamed at www.hrcc.vic.gov.au at 5.00pm on 11 October 2021.

PRESENT

Cr Robyn Gulline (Mayor), Cr Di Bell, Cr David Bowe, Cr Penny Flynn, Cr Claudia Haenel, Cr Ian Ross.

ALSO IN ATTENDANCE

Sunil Bhalla, Chief Executive Officer; Graeme Harrison, Director Corporate Services; Kevin O'Brien, Director Communities and Place; John Martin, Director Infrastructure; Fiona Kelly, Executive Assistant to the CEO and Councillors.

1. PRAYER

Almighty God, we pledge ourselves to work in harmony for, the social, cultural and economic well-being of our Rural City. Help us to be wise in our deliberations and fair in our actions, so that prosperity and happiness shall be the lot of our people. AMEN

2. ACKNOWLEDGEMENT OF COUNTRY STATEMENT

The Horsham Rural City Council acknowledges the five Traditional Owner groups of this land; the Wotjobaluk, Wergaia, Jupagulk, Jaadwa and Jadawadjali people. We recognise the important and ongoing place that all Indigenous people hold in our community.

We pay our respects to the Elders, both past and present, and commit to working together in the spirit of mutual understanding and respect for the benefit of the broader community and future generations.

3. OPENING AND WELCOME

Chairman, Cr Robyn Gulline formally welcomed Councillors, staff, members of the public and the media to the meeting. The Mayor advised that the meeting will be recorded to maintain an audio archive, which will be available on the Horsham Rural City Council website as soon as possible. She also stated that the meeting was being streamed live on the internet.

The Mayor advised that Councillors participating in the meeting by electronic means will be taken to be present and part of the quorum for the meeting, provided that they can hear proceedings, they can see and be seen by other members in attendance, and they are able to speak and be heard by those in attendance. The Mayor asked Councillors individually to confirm that they could see and hear other members in attendance and be able to speak. Confirmed by all Councillors.

4. APOLOGIES

Apology received from Cr Les Power

Council Resolution

MOVED Cr Claudia Haenel, Seconded Cr Ian Ross

That the apology from Cr Les Power be received.

CARRIED

5. CONFLICTS OF INTEREST

Declarations of Interest

A Councillor who has declared a conflict of interest, must leave the meeting and remain outside the room while the matter is being considered, or any vote is taken.

Members of Staff

Under Section 130 of the *Local Government Act 2020*, officers or people engaged under contract to the Council providing a report or advice to Council must disclose any conflicts of interests in the matter, including the type of interest.

Nil

6. OFFICERS REPORTS

6.1 CONTRACT 22/010 DESIGN AND CONSTRUCT HORSHAM NATURE PLAY PARK

| | | | |
|------------------------|--------------------------------------|---------------------|----------------|
| Author's Name: | Dianna Blake | Director: | John Martin |
| Author's Title: | Co-ordinator Project Office (Acting) | Directorate: | Infrastructure |
| Department: | Engineering Services | File Number: | F04-A06 |

Officer Conflict of Interest

Officer disclosure in accordance with *Local Government Act 2020* – Section 130:

Yes No

Reason: Nil

Status

Defined as confidential information in accordance with *Local Government Act 2020* – Section 3(1):

Yes No

Reason: Nil

Appendix

Wimmera Riverfront Nature and Water Play Concept Design (**Appendix "6.1A"**)

Tender evaluation report (*Refer to the confidential section of the agenda*)

Purpose

To award Contract 22/010 for Design and Construction of the Horsham Nature Play Park.

Summary

- This contract, being part of the City to River Stage 1 works, includes design and construction of the Horsham Nature Play Park on the Wimmera Riverfront.
- The project cost was estimated as \$1.989M, which is contained within the overall \$2.453M project budget.
- Details of the tender evaluation are presented in the evaluation report in the confidential part of the Council meeting agenda.

Recommendation

That Council award the tender for Contract 22/010 Design and Construction Horsham Nature Play Park to AWS Services VIC Pty Ltd, for the contract sum of \$1,487,555 ex GST.

Council Resolution

MOVED Cr Di Bell, Seconded Cr Claudia Haenel

That Council award the tender for Contract 22/010 Design and Construction Horsham Nature Play Park to AWS Services VIC Pty Ltd, for the contract sum of \$1,487,555 ex GST.

CARRIED

REPORT

Background

Council is planning for the long term future of the Wimmera River Precinct and Central Business District through the City to River project. The aim is to transform and revitalise the area to make it a more attractive place to live, work, visit and invest in. The first stage of the City to River vision is focused on the revitalisation of the riverfront precinct in a sustainable manner. Council endorsed the Concept Plan presented for City to River Stage 1 Riverfront Activation on 21 September 2020.

The Horsham Nature Play project is a key outcome of the riverfront activation plan, being a regional level attraction for residents and visitors alike. This project will create a new riverside regional play destination. This exciting new attraction encompasses creative natural landscaping with dry and water play for all ages and abilities.

As part of the concept design for the whole Riverfront, Tract Consultants worked with key stakeholders represented by the Community Reference Group (CRG) and Council project team members to develop a concept design and master plan for a nature and water play facility on the riverfront. The proposed location for this facility has been determined as part of the overall development of the riverfront precinct and relates closely to adjacent existing elements and facilities – the Rowing Club, car park and boat ramp, Botanic Gardens and Caravan Park, as well as access from the shared pathway along the riverfront. The nearby Apex (Adventure) Island includes additional play and active recreational facilities, as well as a pedestrian and cycle connection across the Anzac Centenary Bridge to Southbank.

The underlying theme for the Nature Play Park is based on the relationship of the Wimmera River and the broader Wimmera Wetlands, patterns etched into the landscape over time, articulating a story of water – ebb and flow – and its role within this region. The concept design and subsequent construction design adheres to the following principles and guidelines:

- Cultural heritage and history of the region will be interlinked with the development of the riverfront and emphasised through design and artwork elements
- Nature play is interwoven through an undulating, mounded landscape of open lawn, massed groups of groundcovers and shrubs, and play areas with timber sculptures, timber play structures, climbing frames and poles
- Water play areas are designed for different age groups, with some physical separation and age-appropriate elements for more interactive group or active play. Dry and wet sand play areas are provided and offer a range of all-season play opportunities
- A number of proprietary water play elements are included in the design at key locations to provide various water interaction, including jets, spays and manually driven water
- Water play elements are linked to the potable mains water supply and drained into planted rain gardens and then into the river
- Shaded seating areas for parents and carers to sit and supervise play in the facility, as well as seating walls and logs/boulders to partially enclose the play space are located to define and enclose the play space from adjacent circulation pathways, vehicular areas/carpark and the river edge, while still enabling clear vision and oversight by parents and carers
- Accessible and ambulant toilets are included for the play park and positioned to allow ease of access for all users
- Seating, barbecues, shelters and cycle racks are provided
- Safety signage related to water play and resuscitation will be provided at key locations within the facility in accordance with Pool Safety standards, along with “Rules of Use” to cover safety and

consideration of other users, along with directional signage to other attractions and facilities along the riverfront

- The layout of the Nature Play Park will satisfy Sport and Recreation Victoria's aspirations and guidelines for universally accessible recreation facilities.

This contract will deliver detailed drawings and construction of the Horsham Nature Play Park including:

- a) Architectural design of Nature Play Park
- b) Construction of footpaths, pavements, and car parks
- c) Installation of shelter, amenities and street furniture
- d) Installation of nature play and water play equipment
- e) Soft landscaping featuring trees, garden beds and other plants
- f) Hard landscaping featuring pebble creek, sandpit, decking and other elements as designed
- g) External drainage, sewer, water and electrical services.

Discussion

All design and construction will be in accordance with Australian Standards, taking into consideration safety and accessibility.

The \$2,453,000 Horsham Nature Play Park project is fully funded by State and Federal grants, as follows:

- \$2,103,000 - Community Sports Infrastructure Stimulus Program Round 2 (Sport and Recreation Victoria)
- \$350,000 - Local Roads and Community Infrastructure Program Stage 2 (Federal Department of Infrastructure)

Tenders were invited in August with a closing date of 2 September 2021. One conforming tender was received. Council officers conducted detailed interviews, reference checks and investigation on previous work of this contractor to ensure it was able to deliver the high quality result that this project requires. Details of the evaluation process are included in the Tender Evaluation Report attached to the confidential section of the agenda.

The contractor will engage a highly reputable landscape architect to develop the architectural construction design. A preliminary design will be submitted to Council which addresses Council's requirements. The contractor has allowed for two rounds of Council review, comments and alterations. Detailed designs will then be prepared with feature survey data, soil testing data, proof engineering and drawings.

Options to Consider

Council may choose to award the contract as recommended, or not.

The funding from Sport and Recreation Victoria has a milestone requirement to demonstrate the award of contract by 15 October 2021. Failure to award the contract by this date will ensure that this milestone cannot be met, and may put the \$2.103M funding from Sport and Recreation Victoria at risk.

Sustainability Implications

Extensive flood modelling of the riverfront has been conducted to ensure the built structures do not adversely impact on flood flows. This flood modelling has been reviewed and approved by the Wimmera Catchment Management Authority.

Community Engagement

Community engagement has occurred over 18 months, through surveys, drop-in sessions, and the establishment of a Community Reference Group to sculpt the concept plans for this area.

Innovation and Continuous Improvement

The design and construction of this Nature Play Park will implement Water Sensitive Urban Design principles. This land planning and engineering design approach integrates the urban water cycle, including stormwater, groundwater and wastewater management (where relevant) and water supply, into urban design to minimise environmental degradation and improve aesthetic and recreational appeal.

Collaboration

These works form part of Stage 1 of the City to River project. The project is overseen by a Project Reference Group which includes representatives from the Wimmera Catchment Management Authority, Department of Environment, Land, Water and Planning; Sport and Recreation Victoria and Regional Development Victoria.

Financial Implications

The overall budget for the Horsham Nature Play Park is \$2,435,000. Provisions for individual components of these works are allocated within this budget based on cost estimates by an external quantity surveyor.

The project budget is as shown:

| | |
|---------------------|--|
| \$ 1,487,555 | 22/010 Design and Construct Nature Play Park (this tender) |
| \$ 250,000 | Additional play elements to be approved |
| \$ 100,000 | Covered shade for car park |
| \$ 60,000 | Advanced trees for shade in the play area and surround |
| \$ 248,000 | Contingency and cost escalation allowance |
| \$ 172,000 | Consultants and project management |
| <u>\$ 135,445</u> | Client costs and authority / headwork's charges |
| <u>\$ 2,453,000</u> | |

The preferred tender is within the fully-funded budget for this project.

Council's subsequent budgets will need to take into account the additional operations and maintenance costs of these and other City to River project works. These are anticipated to be at least partly funded through savings generated in the operations efficiency project.

Regional, State and National Plans and Policies

Not applicable

Council Plans, Strategies and Policies

2020-2024 Council Plan

Goal 1 – Community and Cultural Development

Four-Year Priority 1.2.09 – Activate the Wimmera River Precinct for the community and visitors (including lights and greater presentation)

Risk Implications

Standard construction risks apply to this project, these will be managed by Council's Project Office during the construction process. The adoption of a Design and Construct form of contract assists in the assignment of risks during the construction phase.

Timelines associated with the requirements of funding partners need to be achieved.

Conclusion

The construction of the Horsham Nature Play Park along the Wimmera Riverfront is a key project in the City to River Stage 1 works. A suitable contractor has been identified to deliver the required outcome within the available budget.

6.2 CONTRACT 22/009 DESIGN AND CONSTRUCT WIMMERA RIVERFRONT NODES

| | | | |
|------------------------|--------------------------------------|---------------------|----------------|
| Author's Name: | Dianna Blake | Director: | John Martin |
| Author's Title: | Co-ordinator Project Office (Acting) | Directorate: | Infrastructure |
| Department: | Engineering Services | File Number: | F04-A06 |

Officer Conflict of Interest

Officer disclosure in accordance with *Local Government Act 2020* – Section 130:

Yes No

Reason: Nil

Status

Defined as confidential information in accordance with *Local Government Act 2020* – Section 3(1):

Yes No

Reason: Nil

Appendix

Tender evaluation report (*Refer to the confidential section of the agenda*)

Purpose

To award Contract 22/009 for the Design and Construction of Wimmera Riverfront Nodes.

Summary

- This contract, being part of the City to River Stage 1 works, includes design and construction of three nodes/decks on the Wimmera River.
- The project cost was estimated as \$480,000, which is contained within the overall \$3.1M project budget for the Stage 1 works.
- Tenders were evaluated in accordance with the standard process.
- Details of the tender evaluation are presented in the evaluation report.

Recommendation

That Council award the tender for Contract 22/009 Design and Construction Wimmera Riverfront Nodes to Bridgewater Marine Pty Ltd of Point Lonsdale, for the contract sum of \$463,959 ex GST.

Council Resolution

MOVED Cr Penny Flynn, Seconded Cr Di Bell

That Council award the tender for Contract 22/009 Design and Construction Wimmera Riverfront Nodes to Bridgewater Marine Pty Ltd of Point Lonsdale, for the contract sum of \$463,959 ex GST.

CARRIED

REPORT

Background

Council is planning for the long term future of the Wimmera River Precinct and Central Business District through the City to River project. The aim is to transform and revitalise the area to make it a more attractive place to live, work, visit and invest in. The first stage of the City to River vision is focused on the revitalisation of the riverfront precinct in a sustainable manner. Council endorsed the Concept Plan presented for City to River Stage 1 Riverfront Activation on 21 September 2020.

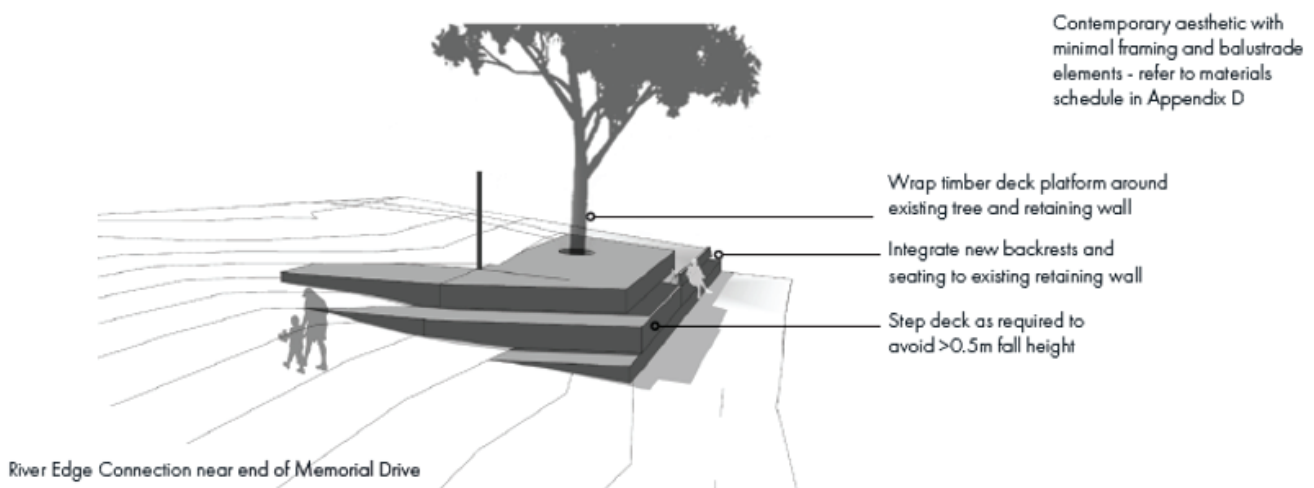
This contract will deliver three river edge connecting nodes, which is one of the key deliverables in the Concept Plan.

The nodes will create an axial link, both physical and visual, between the land and the river, by providing river edge access and viewing platforms. These works will act as a series of interconnected landmarks that will subtly support and enhance activities along the river's edge.

The three nodes/decks are a combination of in-water and on ground designs as follows:

- Node 1 – is aligned with Firebrace Street and the Entrance Pergola, this is a wharf-style design, requiring footings in water
- Node 2 – is located towards the western end of the precinct, aligns with the to-be-constructed Nature Play Park, and is also a wharf-style design requiring footings in water
- Node 3 - the eastern-most deck is required to be constructed on the riverbank only, around a tree, with no footings in water.

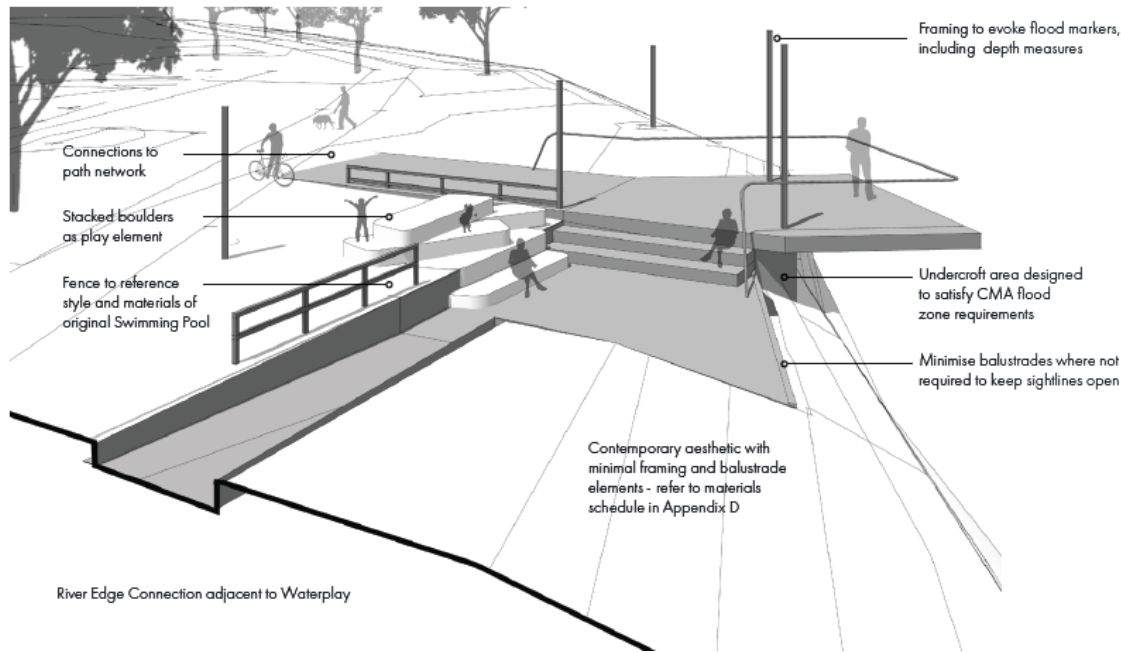
The diagrams on this page and the next page illustrate these nodes.



Discussion

Council commissioned an architectural and structural design for these nodes as part of the \$3.1M City to River Stage 1 Priority Works. Tenders were called for the project in June 2020, specifying that submissions needed to comply with the supplied design. No responses were received to this initial tender.

Following feedback from contractors who had downloaded the tender documents, the tender was re-issued, updated to allow submission of changes to the substructure design while maintaining the architectural view of the nodes, as a non-conforming tender.



Four conforming tenders and one non-conforming tender were received. Details of the evaluation process are included in the Tender Evaluation Report attached.

Options to Consider

Non-conforming tenders were allowed for this tender as an option, provided the tenderer also submitted a conforming tender.

The non-conforming tender response was received from Bridgewater Marine, a specialist wharf and jetty builder. Bridgewater Marine brought forward their expertise in proposing alternate sub-structure design while maintaining the architectural intent of the original design.

All other tenderers are general construction companies.

Sustainability Implications

Flood modelling of the riverfront has been conducted to ensure the built structures do not adversely impact on the river flow or other properties. This flood modelling has been reviewed and approved by the Wimmera Catchment Management Authority.

Community Engagement

Over 700 written submissions were received during the development of the City to River Master Plan. One of the key priorities identified for development was improved access to the water's edge. Community engagement has occurred over 18 months, through surveys, drop-in sessions, and the establishment of a Community Reference Group to sculpt the concept plans for this area.

Innovation and Continuous Improvement

The recommended tenderer has proposed a range of measures to simplify construction and ongoing maintenance of the nodes.

Collaboration

These works form part of Stage 1 of the City to River project. The project is overseen by a Project Reference Group which includes representatives from the Wimmera Catchment Management Authority, Department of Environment, Land, Water and Planning; Sport and Recreation Victoria and Regional Development Victoria.

Financial Implications

The overall budget for the City to River Stage 1 works is \$3.1M. Provisions for individual components of these works are allocated within this budget based on cost estimates by an external quantity surveyor. The quantity surveyor's estimate for these works was \$480,000 ex GST, hence, the preferred tender is within that estimate.

Regional, State and National Plans and Policies

Not applicable

Council Plans, Strategies and Policies

2020-2024 Council Plan

Goal 1 – Community and Cultural Development

Four-Year Priority 1.2.09 – Activate the Wimmera River Precinct for the community and visitors (including lights and greater presentation)

Risk Implications

Standard construction risks apply to this project, these will be managed by Council's Project Office during the construction process. The adoption of a Design and Construct form of contract assists in the assignment of risks during the construction phase.

Delivery of this project will be managed in accordance with relevant COVID restrictions that apply at the time of the works.

Conclusion

The construction of these three waterfront nodes along the Wimmera Riverfront is a key project in the City to River Stage 1 priority works approved by Council last year. This will be the third deliverable in these key activation projects.

7. CONFIDENTIAL MATTERS

Council Resolution

MOVED Cr Claudia Haenel, Seconded Cr Di Bell

That the meeting close to the public to consider Confidential Matters.

CARRIED

The time being 5.09pm, the meeting closed to the public.

CLOSE

After dealing with Confidential Matters, the meeting closed at 5.13pm

DocuSigned by:

Robyn Gulline

5FE6C19B2E524E5...

The Mayor, Cr Robyn Gulline

Chairperson