

**ORDINARY MEETING OF COUNCIL
27 APRIL 2009**

ORDERS OF THE DAY

ORDER 4	MIDDLE PARK BEACH LANDSCAPING
LOCATION/ADDRESS:	MIDDLE PARK BEACH – ADJACENT TO THE INTERSECTION OF BEACONSFIELD PDE AND ARMSTRONG ST.
EXECUTIVE DIRECTOR:	DAVID YEOUART, EXECUTIVE DIRECTOR COMMUNITY ASSETS AND SERVICES
PREPARED BY:	SAM HEWETT, MANAGER ASSET SERVICES
FILE NO.:	14/01/1136-02
ATTACHMENTS:	ATTACHMENT #1 – MIDDLE PARK BEACH FACILITIES – CONCEPT PLANS, REPORT TO THE STRATEGY AND POLICY COMMITTEE (SEPT 2008) ATTACHMENT #2 - MIDDLE PARK BEACH FACILITIES SUPPLEMENTARY REPORT (SEPT 2008) ATTACHMENT #3 – CONCEPT PLANS FROM THE 3 FINALISTS.

1. PURPOSE

- 1.1 At the Ordinary meeting of Council on 23 March 2009, in response to a question from Councillor Klepner, Council resolved,

“That a report be prepared for Council in relation to Middle Park Beach on:

1. The status of the proposed toilet block to be constructed.
 2. The possibility of undertaking works in conjunction with the construction of the toilet block relating to the landscaping, shade structure and other works that were part of the concept design for public amenities and landscaping works at Middle Park Beach submitted by Aspect Studios/Gregory Burgess Architects.”
- 1.2 This report seeks to update Council on the progress of the design and construction of the public toilet at Middle Park Beach.
- 1.3 Council is asked to consider options available to it in relation to the landscaping of the Middle Park Beach around the public toilet.

2. RECOMMENDATION

That Council resolves to:

- 2.1 Note that a competitive process was conducted for the design of public amenities and open space at Middle Park Beach in 2008.
- 2.2 Note that Council declared Aspect Studios/Gregory Burgess Architects the winner of the design competition for Middle Park Beach.
- 2.3 Note that when Council made a decision to award the contract to Aspect Studios/Gregory Burgess Architects on 22 September 2008, they also resolved to "provide clear advice to the community that the landscaping component was not and is not part of the current project for construction and that there is no funding currently allocated to either design or construction of the proposed landscaping"
- 2.4 Note that the 2008/2009 Capital Works program includes \$94,000 for the design of the public toilet at Middle Park Beach and that \$330,000 has been provisionally budgeted for the construction of the public toilet and this will be considered by Council as part of the 2009/2010 Capital Works budget process.
- 2.5 Refer the landscaping component of the project to Council, along with all other capital works bids, for consideration as part of the 2009/2010 Capital Works budget process.

3. BACKGROUND AND CONTEXT

- 3.1 In 2006, the City of Port Phillip demolished the Harold Alexander Pavilion at Middle Park Beach which housed the Middle Park Life Saving Club, a kiosk, and other public amenities.
- 3.2 At that time Council requested that any future use of the site should include a public toilet.
- 3.3 Council's Public Toilet Strategy (2007 - 2011) identified the public toilet priority sites across the municipality, one of which was the Middle Park Beach.
- 3.4 In 2008/2009 Council allocated \$50,000 as part of the Capital Works Program (later increased to \$94,000 via the Capital Works Project Board due to insufficient funds) to design a toilet for the Middle Park Beach.
- 3.5 In June 2008, an Expression of Interest was advertised for suitably qualified architects and designers "to take part in a limited design competition for public amenities and open space along the foreshore in Middle Park". A total of 11 submissions were received from which a tender evaluation panel chose 3 to participate in the design competition – Hassell Architects, Aspect Studios/Gregory Burgess Architects and Zen Architects.
- 3.6 The 3 chosen architects submitted their proposals for community and Council consideration – Attachment #3 Concept Plans from the 3 Finalists.

- 3.7 Eighty Five residents attended community consultations held in July and August 2008 at the Mary Kehoe Centre. The three designs were displayed at local libraries and children from the Middle Park Community Centre were also consulted.
- 3.8 Based on community feedback and the online voting process, the clear popular choice was Aspect Studios/Gregory Burgess Architects.
- 3.9 On September 1, 2008 a report to the Strategy and Policy Review Committee recommended that Council resolve to;
- “Declare the Aspect Studios/Gregory Burgess concept design the winner of the Middle Park Sustainable Design Competition 2008”
 - “Proceed to detailed design and development of the Aspect Studios/Gregory Burgess concept plan”
- 3.10 A Supplementary Report to the Ordinary Meeting of Council on 22 September 2008 recommended Council resolve to;
- “Refer funding for the construction of the toilet to the 2009/2010 Capital Works budget process, unless alternative funds become available prior to that time”
 - “Provide clear advice to the community that the landscaping component was not and is not part of the current project for construction and that there is no funding allocated to either design or construction of the proposed landscaping”
- 3.11 The Capital Works Project Board was recently informed that the design stage of the public toilet project was on target for completion by June 30 2009. The project manager reports that detailed design drawings will be available within a month and that a formal request for Coastal Consent (to construct the toilet) to the Department of Sustainability and Environmental will be made shortly and no issues are anticipated. The project manager reports that it will be possible to go to public tender for the construction of the public toilet by July 1, 2009.
- 3.12 In the coming months, Council will decide upon a draft Capital Works Program for 2009/2010. Should Council choose, it may consider the landscaping component for this site as part of the 2009/2010 Capital Works Program.
- 3.13 The preliminary cost estimates of this landscaping design by the landscape architect (Aspect Studios) puts the cost of design and construction at approximately \$450,000. This has not been confirmed by a quantity surveyor.
- 3.14 Council has options available in order to deliver the landscaping component of the design proposed by Aspect Studios/Gregory Burgess Architects. Given the size and the location of the project, Council is advised that it would be very difficult to deliver the detailed design and the construction of the landscaping project in the same year.
- 3.15 Below is an approximate time line for the implementation of the landscaping at Middle Park Beach. These timelines are based on client manager and project manager estimations.

Project Milestones	Start Date	End Date
Project Planning	July 2009	July 2009
Concept Design Finalisation	July 2009	September 2009
Community Consultation	August 2009	November 2009
Detailed Design Development	November 2009	March 2010
Planning Consent – DSE, Heritage etc	March 2010	March 2010
Detailed Design Signoff	March 2010	March 2010
Tender	March 2010	April 2010
Tender Report to Council	April 2010	May 2010
Construction begins	July 2010	March - June 2011

NB - While it might be possible to speed up some stages of the above timeline, it would only mean that construction could start a little earlier. The construction timeline for a project of this size is estimated to be at least 9 - 12 months.

4. CONSULTATION AND STAKEHOLDERS

- 4.1 The concept designs of all three invited architects went to public consultation in July and August 2008. This included 85 people who attended the Mary Kehoe Centre consultations, the children from the Middle Park Community Centre and those who viewed the submissions at the Middle Park and Albert Park Libraries.
- 4.2 The winner was decided by popular vote through a survey and on line voting system. The Aspect Studios/Gregory Burgess Architects design was the clear winner.
- 4.3 Should Council decide to consider the landscaping component of the project as part of the 2009/2010 Capital Works Program, further consultation will be necessary with key stakeholders and residents through the detailed design stage of the project.
- 4.4 Council will be required to apply for Coastal Consent from the Department of Sustainability and Environment for the landscaping component of this project should it decide to proceed with design and construction. A positive response is anticipated.

5. DISCUSSION

5.1 OPTIONS

Recommended Option

- 5.1.1 It is recommended that the Landscaping of Middle Park Beach be referred to Council for consideration, along with all other capital bids, as part of the capital works program in 2009/2010.
- 5.1.2 In order to increase the chances of successful delivery of the landscaping component, it is recommended to split the delivery of the project over multiple years. That is, detailed design to be completed one year with the delivery of the construction stage in a future year. This approach is entirely consistent with the Capital Works Improvement Plan that states delivery of large and complex capital projects should be delivered in 3 stages (Concept Design, Detailed Design, Implementation).
- 5.1.3 It is possible to deliver the construction stage of the public toilet project in the same year as designing the landscaping component. However, it would be almost impossible to deliver the landscaping concurrently with the public toilet due to the size and complexity of both projects.

Option 2

Council may choose to direct the design and construction stages of the landscaping together (along with the construction of the Public Toilet) to the 2009/2010 Capital Works Program at an initial estimated cost of \$450,000.

This option has the advantage that it provides a clear statement of commitment to the project and Council's intent to deliver a significant upgrade to the foreshore at Middle Park.

The disadvantages of this option are:

- It is unlikely that the design and construction of such a significant landscaping project is possible in one year. This would almost certainly result in a roll over at June 30, 2010.
- By budgeting for the design and construction of the landscaping of Middle Park Beach in 2009/2010, it would mean that Council will be unable to fund other capital works projects currently under consideration for 2009/2010, which would have a higher probability of successful delivery.

Option 3

Another option would be to deliver a modest landscaping project in 2009/2010 to complement the construction of the Public Toilet. This modest intervention, at a cost of say \$50,000, would have a more realistic chance of being delivered within the 2009/2010 financial year.

This option would ensure that a landscaping intervention would integrate the public amenities with the foreshore.

The disadvantages of this option are:

- That there was a positive public response to the landscaping design proposed by Aspect Design/Gregory Burgess Architects and to deliver an alternative option might result in some community disappointment.
- This landscaping intervention would make less of a statement in this significant coastal location.

5.2 POLICY IMPLICATIONS

- 5.2.1 The process outlined in this report to consider the landscaping of Middle Park Beach as part of a capital works program is consistent with the process for other projects being considered by Council.
- 5.2.2 Council would also need to seek Coastal Consent from the department of Sustainability and Environment should it decide that it wanted to landscape the Middle Park Beach.

5.3 FINANCE / RESOURCE IMPLICATIONS

- 5.3.1 The construction of a Public Toilet on Middle Park Beach has been included, at a cost of \$330,000, for Council's consideration as part of the 2009/2010 Capital Works Program. Design fees for the toilet are expected to total an additional \$94,000 (funded in 08/09).
- 5.3.2 The initial cost estimate for the landscaping concept design proposed by Aspect Studios/Gregory Burgess Architects is \$350,000. In addition to this, an amount of approximately \$90,000 would be required to complete the detailed design of the concept. Should Council choose to refer the more modest landscaping project to the capital works program, a provisional amount of \$50,000 will need to be added.

5.4 LEGAL & RISK IMPLICATIONS

- 5.4.1 A competitive process was used to undertake the design competition for the Middle Park Beach Toilet and associated landscaping in accordance with Port Phillip's Guidelines for Tendering and the Local Government Act.
- 5.4.2 The only risk to either the public toilet or landscaping project is that Coastal Consent is not granted. From telephone conversations between the project manager, project sponsor and the Department of Sustainability and Environment, this is a low risk.
- 5.4.3 Should Council choose to refer the landscaping project to the 09/10 capital works program and fund both design and construction in the one year, a significant risk of rollover would exist.

5.5 SUSTAINABILITY ASSESSMENT

SOCIAL EQUITY

- This public toilet project delivers on the need identified in Council's Public Toilet Strategy (2007 - 2011) for a toilet on Middle Park Beach. The landscaping component will ensure the delivery of a foreshore upgrade project on Middle Park Beach which complements the re-nourishment of the beach at Middle Park completed in 08/09, along with upgrades to foreshore precincts in Port Melbourne, St. Kilda and Elwood in recent years.

ECONOMIC VIABILITY

- The delivery of any capital works program is monitored by the Capital Works Project Board which is chaired by the Executive Director Community Assets and Services. This process ensures accountability to organisational processes and ensures budgets are managed responsibly.

ENVIRONMENTAL RESPONSIBILITY

- The delivery of a public toilet and any associated landscaping will comply with Council's Environmentally Sustainable Design framework. This will include rain water harvesting for toilet flushing, water sensitive urban design for landscaping irrigation, natural ventilation, and the designs are cognisant of, and respond to, a corrosive coastal location.

CULTURAL VITALITY

- The delivery of an upgrade to this popular beach would ensure an inclusive space for all residents and visitors to Port Phillip's beaches. Any design must be inclusive and respect the views and aspirations of all.

6. IMPLEMENTATION STRATEGY

6.1 TIMELINE

6.1.1 – Detailed design for the public toilet will be complete by May 2009.

6.1.2 – Coastal Consent for toilet construction will be sought in May 2009.

6.1.3 – Draft Capital Works Program 2009/2010 (for community consultation) will be complete by May 2009.

6.1.4 – Tender for public toilet construction in July 2009.

6.1.5 – Detailed design of the landscaping proposal could begin in July 2009.

6.2 COMMUNICATION

Key messages

- 6.2.1 Council will consider the construction of the public toilet for Middle Park Beach as part of the 2009/2010 Capital Works Program.
- 6.2.2 This public amenity will complement the recently re-nourished Middle Park Beach
- 6.2.3 The landscaping project proposed by Aspect Studios/Gregory Burgess Architects should be referred to Council for consideration, along with all other capital bids, as part of the Capital Works Program in 2009/2010.
- 6.2.4 The community will be able to comment on the draft Capital Works Program 2009/2010, including any landscaping proposal for Middle Park Beach, through the normal budget submission process.