



## Notice of Facilities Committee Meeting

Notice is hereby given that a Facilities Committee Meeting` will be held in the Ballina Shire Council Chambers, 40 Cherry Street Ballina on **Tuesday 18 December 2012 commencing at 4.00 pm.**

### Business

1. Apologies
2. Election of Chair
3. Declarations of Interest
4. Deputations
5. Committee Reports

A handwritten signature in black ink, appearing to read 'Paul Hickey', with a long horizontal line extending from the end of the signature.

Paul Hickey  
**General Manager**

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1. Apologies
  2. Election of Chair
  3. Declarations of Interest
  4. Deputations
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**1. Apologies**

**2. Election of Chair**

The Committee should elect a new Chair and decide if the term for the Chair should be 12 months or the term of the current Council (ie until September 2016). Either option is acceptable.

**3. Declarations of Interest**

**4. Deputations**

## 5.1 Lennox Head Surf Club Re-development - Update

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### 5. Committee Reports

#### 5.1 Lennox Head Surf Club Re-development - Update

**Delivery Program** Commercial Services

**Objective** To provide Council with an update on the re-development of the Lennox Head Surf Club.

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#### **Background**

Council, at the September 2012 Ordinary meeting resolved as follows:

*That Council authorises the allocation of \$400,000 from the proceeds of the Ross Street land sale to engage a suitably qualified firm to prepare the detailed designs and associated plans for the redevelopment of the Lennox Head Surf Club, including improved drainage and parking outcomes, along with the possible closure of the eastern road access, as per the Lake Ainsworth Master Plan. The remaining Ross Street land sale proceeds are to be retained for the balance of the works required for this project.*

The purpose of this report is to provide a brief update on this project.

#### **Key Issues**

- Actions undertaken to date

#### **Information**

The following actions have been implemented in response to the September 2012 resolution:

- A registration of interest (ROI) process for the provision of the design of the Lennox Head Surf Club is currently on exhibition with that registration process closing on Wednesday 19 December 2012. The **objectives** of the works to be undertaken in this contract are as follows:
  - a) Review the current Lennox Head Surf Club building and report on options for reconstruction or refurbishment. Prepare concept plans and cost estimates and recommend a preferred option.*
  - b) Ensure the integration of these plans with designs for the closure of the road on the eastern side of the Lake Ainsworth precinct as per Council's adopted master plan for Lake Ainsworth. This component must also include concept plans and cost estimates for the works identified in the master plan. This includes items such as drainage, footpaths and landscaping.*
  - c) Prepare and lodge the Development Application(s) to ensure the Council approved designs can proceed, subject to planning consent.*

## 5.1 Lennox Head Surf Club Re-development - Update

- d) *Complete the detailed design and contract supervision, subject to Council confirming the funding to allow the project to proceed.*

The **actual works** to be undertaken by the successful tenderer includes the following:

- a) *Master planning for the building*
- b) *Design of the building, location on the site and any associated structures*
- c) *Design of landscape, stormwater and surrounds*
- d) *Design of the road layout, drainage, footpaths, landscaping etc for the eastern road at Lake Ainsworth that will allow this road to be closed as per the Lake Ainsworth master plan, whilst ensuring that the entire precinct is designed in an integrated manner*
- e) *Geo-technical testing and examination of the soil and site conditions*
- f) *Provision of various engineering reports*
- g) *Cost estimates*
- h) *Submit and obtain approval under relevant the planning requirements*
- i) *Detailed design and contract supervision*

Following the closure of the ROI process, Council staff will shortlist around three to five organisations, who will then be invited to submit a more detailed tender for the works. The short listing will be based on criteria such as experience, track record and resources available. The detailed tender process will then close early February with the recommended tenderer to be submitted to the February Council meeting.

- Correspondence has been forwarded and meetings held with members of the Lennox Head Surf Club. The most important meeting held to date was on Saturday 1 December 2012 when the General Manager and Manager – Commercial Services attended a meeting with any interested members of the Surf Club. This meeting was held at the surf club building. The purpose of the meeting was for the Council representatives to outline the process being followed and for the members to ask questions and clarify matters. Some key points arising from that meeting were as follows:
  - a) There is a high level of disagreement between some members of the Club as to what is the preferred strategy for the building. Some members appear to be interested in continuing with minor works that have been occurring in recent years, which have largely been funded by private sponsorships. This strategy would not require the building to be redeveloped in the short to medium term. Council's response to this was that the brief for the ROI requires the appointed firm to evaluate the preferred approach for renovation or refurbishment. Once that information is available Council, in consultation with the Club, can then make a decision as to how to proceed.

## **5.1 Lennox Head Surf Club Re-development - Update**

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- b) Some members want the Surf Club to retain control over the building, including any commercial component. This is the same issue that Council faced with the Ballina Surf Club in that the members wanted to run the café and function rooms as well as all the surf club facilities. This strategy is not supported by staff, and was not supported by Council for the Ballina Surf Club, for a number of reasons including:
- Council has far stronger systems in place to manage the appointment of the operator and provide on-going supervision
  - It is preferable for the income from the commercial component to be collected by Council and then allocated firstly to on-going building maintenance and secondly to surf life saving services. It is essential that surf club buildings are adequately maintained, otherwise the same situation will arise where both Ballina (demolished) and Lennox Head deteriorated over many years
  - It decreases the workload for the volunteers who are there to provide surf life saving services and not operate commercial activities
  - It also helps to avoid conflicts of interest that sometimes occur with members of the Surf Club also having an interest in the commercial activities.

The advice provided to the members present was that the preferred position of staff remains as per the Ballina Surf Club (Council managing any commercial components and the Surf Club managing the remaining facilities), however any final decision on this will be made by the elected Council.

### **Legal / Resource / Financial Implications**

Currently Council has \$1.355 million available for this project, being the proceeds from the sale of the land in Ross Street, Lennox Head. Significant grant funding is required to allow the project to proceed.

### **Consultation**

The Community Survey undertaken in August 2012 identified this project as the second highest priority out of the projects listed. Once a tenderer is appointed there will be further consultation undertaken with members of the Lennox Head Surf Club.

### **Options**

This report has been prepared for information purposes only.

## **5.1 Lennox Head Surf Club Re-development - Update**

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### **RECOMMENDATION**

That Council notes the contents of this update report on the Lennox Head Surf Club Re-development project.

### **Attachment(s)**

Nil

## **5.2 Marine Search and Rescue Co-ordination Centre - Update**

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### **5.2 Marine Search and Rescue Co-ordination Centre - Update**

**Delivery Program** Commercial Services

**Objective** To update Council on the appointment of a consultant to undertake the design of the new Marine Search and Rescue Co-ordination Centre.

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#### **Background**

Council has previously resolved to proceed with the design of the new Marine Search and Rescue Co-ordination Centre. This report provides a brief update on the status of this project.

#### **Key Issues**

- Actions undertaken to date.

#### **Information**

In May 2012, Council advertised for registrations of interest (ROI) from suitably experienced architectural/consultancy firms to undertake the design of the new Search and Rescue Co-ordination Centre.

The actual works to be undertaken by the successful tender, for the purposes of the ROI included the following:

- a) Master planning for the complex*
- b) Design of the building, location on the site and any associated structures;*
- c) Design of landscape, pavements, car parks, stormwater and surrounds;*
- d) Geo-technical testing and examination of the soil and site conditions;*
- e) Provision of various engineering reports;*
- f) Costing estimates; and*
- g) Submit and obtain approval under Part 5A of the Environmental Planning and Assessment Act 1979.*

In response to this advertising process submissions were received from 14 companies. The evaluation panel then short listed five experienced companies and in August 2012 tender documents were issued to those companies.

Key elements of the tender specification include:

- a) Prepare and lodge the applications for the necessary planning and building approvals*



## 5.2 Marine Search and Rescue Co-ordination Centre - Update

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- b) *Prepare detailed plans and documentation for tender and construction; and*
- c) *Undertake contract administration and site supervision.*

The design brief for the facility, as per the tender specification, was as follows:

- *The facility must be functional to meet the requirements of the volunteers who operate the maritime safety and rescue operations they assist in undertaking. These requirements are noted below and include visual surveillance of the river mouth and surrounding coast line.*
- *The facility must be designed and constructed with materials that are compatible with the conditions of a harsh coastal marine environment and minimize cleaning and maintenance costs.*
- *A focus upon life cycle costing principles in design, construction methods and materials.*
- *Council believes this facility will be an iconic building in a high profile location, i.e. the entrance to the Port of Ballina, and as such it must be designed not only with a focus upon function but also on the built form to create a landmark building.*
- *Council has allocated a budget of \$1,750,000 + GST including consultants' fees for this project. Tenders must include in their tender proposal, a construction cost estimate for their concept designs from a suitably qualified quantity surveyor. Proposals that exceed the budget for this project may not be accepted. Council also reserves the right to have concept designs independently costed.*
- *Council considers the site proposed for the new marine search and rescue co-ordination centre has potential for commercial opportunities such as a café. Such opportunities may not be readily taken up by operators in the current economy; however circumstances may change as the economy improves. Proponents are therefore required to include in their tender concept design two options:-*

*Option 1 - Marine search and rescue co-ordination centre including a self contained café*

*Option 2 - Marine search and rescue co-ordination centre with provision for a self contained café that could be accommodated in the future*

*In this instance the definition of a self contained café is one that includes amenities, with safe and easy access to amenities. Concept designs that propose the use of public amenities by café patrons will not be accepted.*

Based on feedback from the volunteers the operational design requirements to be considered in the design, as per the tender specification, are as follows:

### **Operations and Radio Room**

*This room is to be located on the top level of the structure and should enjoy unobstructed views of the river and river mouth, Lighthouse Beach and South Ballina Beach. It is understood that planning guidelines will permit a floor level of 17 metres AHD for this room.*

*Spatially, this room should accommodate six radio officers and three desks, basic kitchen facilities, toilets, standby sleeping space and storage space.*

### **Search and Rescue Co-Ordination (SARC) Room**

*The SARC room should be located immediately beneath the Operation & Radio Room and will be used for search and rescue operations by Marine Rescue and other emergency services when combined operations are required.*

*Spatially this room may need to accommodate up to 15 people, and requires basics kitchen facilities, toilets and storage space.*

### **Training and Meeting Rooms**

*This level of the tower could house a café as per Option 1 or alternatively could be used for training and meeting rooms as per Option 2.*

*Spatially this room may need to accommodate up to 50 people, and requires basic kitchen facilities, toilets and storage space.*

### **Ground Level**

*Facilities required on this level include public toilets, secure storage areas and covered parking for three vehicles*

Tenders subsequently closed on 30 October 2012 with tenderers required to include concept designs. Due to the complex nature of the building, that is the location and issues with ground conditions, the evaluation panel has requested additional information from the tenderers to enable completion of the evaluation.

The tender evaluation panel is currently reviewing this additional information and intend to shortlist down to three companies, who will then be requested to present their concept designs to the elected Council. It was hoped that this would be undertaken during December 2012, however it is expected that this will now occur during January or February 2013. It should be noted that an initial shortlist of three was selected, however the two excluded lodged complaints in respect to that culling process.

NSW Public Works were then engaged to review the processes undertaken and that report identified that the method of culling the two firms could be considered unreasonable. On that basis all five shortlisted firms are now being provided an opportunity to resubmit their proposals.

## **5.2 Marine Search and Rescue Co-ordination Centre - Update**

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### **Legal / Resource / Financial Implications**

Council has allocated \$150,000 in the 2012/13 budget to allow the design and approval process for this structure to be completed. Funding for the actual construction of the building is included in the 2013/14 budget however the income is dependent upon land sales.

### **Consultation**

Council has consulted extensively with the Marine Rescue Volunteers during the process. During the tender period a meeting was held with tenderers and the Marine Rescue Volunteers to clarify any issues.

### **Options**

This report has been prepared for information purposes only. The important issue with this project will be to balance the budget with the essential and desired needs of the volunteers and Council. The tender specification identifies items such as the café, training and meeting rooms etc, which may all be desired, but the issue is whether or not they are essential.

Once a tenderer is appointed, meetings will be held with all interested parties to ensure that the project detail is balanced with the budget available.

### **RECOMMENDATION**

That Council notes the contents of this update report on the replacement of the Marine Search and Rescue Co-ordination Centre.

### **Attachment(s)**

Nil

### **5.3 Ballina Surf Club Re-development - Update**

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#### **5.3 Ballina Surf Club Re-development - Update**

**Delivery Program** Commercial Services

**Objective** To provide Council with an update on the re-development of the Ballina Surf Club.

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#### **Background**

Development consent was granted to DA 2011/540 on 26 April 2012 for the construction of a new Ballina Lighthouse and Lismore Surf Life Saving complex at Lighthouse Beach East Ballina. Tenders were then called for the construction of the facility with Bennett Constructions subsequently being appointed as construction contractor in August 2012 and commencing work soon there after.

The purpose of this report is to provide a brief update on this project.

#### **Key Issues**

- Actions undertaken to date

#### **Information**

The new surf club complex is to be developed in two stages under different development consents:

- DA 2010/74 – Realignment of Compton Drive.
- DA 2011/540 – Development consent granted on 26 April, 2012 for a new surf club building. Construction contract awarded to Bennett Constructions in August 2012 with an anticipated completion date of June 2013. The construction contract awarded to Bennett Constructions was for the sum of \$3,244,600 + GST. Council has allowed an additional amount of \$486,690 + GST for contingencies.

The progress of construction to date has been good. Works completed to date include excavation and piling works, and the pouring of the slabs for the ground and first floors. The first stage of the rock armour wall along the clubhouse beach front has also been completed. Construction is on schedule due to favourable weather and tides and the use of structural piling systems suited what were complex and difficult site conditions.

- DA 2011/541 – This application is for the second stage of the surf club complex for the construction of a boat shed building and an open car park comprising 75 car spaces.

### 5.3 Ballina Surf Club Re-development - Update

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The land upon which it is proposed to construct these facilities and the Compton Drive road diversion is subject to Aboriginal land claims. These land claims have been the subject of previous reports to Council. A memorandum of understanding has been agreed to by Council, JALI and the NSW Aboriginal Land Council.

Council resolved to finalise the MOU on 3 July, 2012 and we have signed the document, however JALI have not yet done so. Staff have followed this matter up with JALI on a number of occasions without success. There does not appear to be any impediment to JALI signing the document, their difficulty appears to relate to obtaining quorums for meetings where the signing is to be considered.

Council's Regulatory Services Group has advised that they wish to see the land claims resolved prior to granting consent to DA 2011/541. The important point here is that a consent condition of DA 2011/540 requires the car park to be constructed if the café and function rooms in the building now under construction are to be used for commercial purposes.

#### **Legal / Resource / Financial Implications**

Elements of this project proceeding are subject to JALI signing a Memorandum of Understanding ("MOU") to settle three land claims that affect the proposed boat house, car park and Compton Drive road diversion. If JALI refuse to sign the MOU, the claims will have to be dealt with by the Minister for Crown Lands. The time it may take the Minister to deal with these claims is unknown given the huge backlog of unresolved claims.

The budget for the total surf club project including DA 2011/540 and DA 2011/541 is estimated to be \$5,800,000 + GST funded as follows;

Federal Government Grant	\$2,300,000
Council Commercial Opportunities Reserve	\$3,200,000
BL&L Surf Life Saving Club	<u>\$ 300,000</u>
Total	<u>\$5,800,000</u>

The construction contract awarded to Bennett Constructions is for the clubhouse building only (DA 2011/540). This contract is for the sum of \$3,244,600 + GST. Council has allowed an additional amount of \$486,690 + GST for contingencies. To date Bennetts have been paid \$681,777 + GST. To date the budget for this element of the project is on track.

In an overall budget context, approximately \$1,636,200 has been expended out of the \$5,800,000. Expenditure to date includes the \$681,777 paid to Bennetts and costs associated with design, documentation, site supervision, legal fees, etc. and the fees for DA 2011/540 and DA 2011/541.

### 5.3 Ballina Surf Club Re-development - Update

A summary of costs incurred to date is as follows (figures exclude GST):

Item	2010/11	2011/12	2012/13	Total
Allens – Legal Advice	0	49,300	14,300	63,600
Archimages – Architectural Services	13,000	99,000	26,900	138,900
Ardill Payne – Consulting Engineers	12,600	119,100	64,700	196,400
Bennett Constructions	0	0	681,800	681,800
Council – Fees Paid	0	369,700	0	369,700
Council – Works Provided	0	13,900	29,200	43,100
MDA Consulting Engineers	0	43,300	4,800	48,100
Newton, Denny, Chapelle – Planners	4,900	19,700	0	24,600
Shaw Urquhart – Geotechnical	15,000	0	0	15,000
Other	4,000	32,000	19,000	55,000
<b>Total</b>	<b>49,500</b>	<b>746,000</b>	<b>840,700</b>	<b>1,636,200</b>

The overall budget can be summarised as follows:

Item	Amount (\$)	Amount (\$)
Initial Budget		5,800,000
<b>Less Stage Two</b>		
Boat Storage	280,000	
Car Park=	290,000	
Compton Drive Realignment	700,000	1,270,000
<b>Sub Total</b>		<b>4,530,000</b>
<b>Less Stage One – In Progress</b>		
Agreed Contract Price	3,265,000	
Less Paid to Date	681,000	
<b>Net Outstanding</b>	<b>2,584,000</b>	
Total Expenditure to Date	1,636,000	4,220,000
<b>Balance – Contingency</b>		<b>310,000</b>

#### Consultation

The surf club project was subject to significant community consultation.

#### Options

This report has been prepared for information purposes only.

#### RECOMMENDATION

That Council notes the contents of this report on the update on the Ballina Lighthouse and Lismore Surf Life Saving Club Re-development project.

#### Attachment(s)

1. Artist Perspective of Facility

5.3 Ballina Surf Club Re-development - Update



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