

# Late Report Ordinary Meeting Of Council

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## Wollondilly Shire Council

**Late Report – Monday 18 April 2016**

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BARGO RFS UPDATE

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**IN4 – Bargo RFS Update**

**LATE REPORT**

**IN4**

**Bargo RFS Update**

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TRIM 7392-1

**EXECUTIVE SUMMARY**

- The purpose of this report is to provide an update on the actions undertaken and milestones achieved in acquiring and developing a new Station for the Bargo NSW Rural Fire Service Brigade at #10 Avon Dam Rd, Bargo. The last Report to Council on this project was in December 2015.
- This report recommends:
  - That Council note the progress and the efforts of the project team on delivering the new station facility to date.
  - That Council note and endorse the actions undertaken by staff to seek early access approval from Transport for NSW to 10 Avon Dam Road for construction works.
  - That Council continue to pursue approval from Transport for NSW for early access for construction works, under licence, to enable construction works to commence in advance of the land being acquired by council provided that acquisition of the required land (Lot 1 DP 1210340) is assured to the satisfaction of the General Manager and the Mayor.
  - That, pending an access licence for construction, that construction commence based on a procurement strategy that enables delivery of the new station such that it is commissioned before the passing of another bush fire season.
  - That, pending access to the site for construction works and a sufficient budget allocation, the procurement process for the construction of the new facility and other works required by the conditions of consent commence based on the Construction Certificate requirements.

**REPORT**

**BACKGROUND**

The Bargo RFS project has been proceeding in line with the most recent resolutions of Council i.e. from its meetings of 1 June 2015, 20 July 2015 and 21 December 2015; namely to:

- Acquire the 2550 sq.m portion of land at 10 Avon Dam Road Bargo, subject to subdivision and development consent, for a purchase price of \$310,000 (excluding GST).

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- Allocate \$659,000 (of Council funds) for the acquisition and preparation of the land for the Rural Fire Service Station.
- That as soon as the site for the new Bargo RFS shed is purchased Council calls tenders for construction. The tender is to include all works for the building construction phase. It is to include construction, fit out, driveways, fencing, landscape, earthworks and any ancillary works related to the shed construction.

Project Progress & Achievements

Several actions have been undertaken since the last report to Council as set out below:

*Site Investigations*

The site was accessed during November 2015 by Council and the consultants to undertake the required, set-out, inspection, excavation, testing and sampling.

The contamination assessment found that the land is suitable for the proposed development i.e. a RFS Station; with the implementation of a suitable environmental management plan during construction.

*Site Drainage (into Rail Corridor)*

As outlined in previous Reports, for the development of the Station to proceed, Council require consent from Australian Rail Track Corporation (ARTC), being the operators of the adjacent rail corridor, to drain stormwater from the developed site, downhill into the rail corridor.

ARTC have concerns for the capacity of the existing rail corridor drainage structure to handle any increases from the proposed Station development and hence the continued safe operation of the rail corridor.

A stormwater consultant has been engaged to model the impacts of the Station development on the existing stormwater flows and design a stormwater system that will address ARTC's concerns.

The system proposed to ARTC is an On-Site Detention system (OSD) that is designed to retard stormwater flows during a storm and increase the time period that water would flow into the rail corridor. This would result in the stormwater flows remaining within the capacity of the existing rail corridor drainage system as the post development flow rate would be at least the same as for existing conditions.

This proposed design was submitted to ARTC for their review and they have confirmed that this approach is not suitable for their needs.

ARTC are developing a drainage solution that will manage post development stormwater flows within the rail corridor. We understand that a design has been

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developed; however, we have not received a copy at the time of writing this report.

In order to manage the development application requirement for no adverse impacts from the development, council has continued to develop a standalone drainage solution within the development site.

##### *Development Application*

The Development Application for the Station was submitted on 23 December 2015.

There have been some public submissions and requests for information on the application which have been addressed.

Draft Conditions of Consent are currently being reviewed by the project team. It is hoped that the consent will be issued before the end of April.

##### *Detail Design*

Detail design has continued following the submission of the Development Application in December 2015.

Designs will be finalised based on the Conditions of Consent to enable the Construction Certificate application with any final refinements being incorporated during the Construction Certificate approval process.

##### *Communications*

As a part of keeping stakeholders and the community informed on progress on this important project we have improved our fortnightly update report to be a milestones summary. This outlined the milestones of the project, when we planned to have them completed, what they depend on, how they are progressing and if their completion timing has changed.

These Updates can be obtained on Council's website - [www.wollondilly.nsw.gov.au](http://www.wollondilly.nsw.gov.au)

##### Key Risks

As outlined in the June 2015 report, as with any development there are risks that need to be identified and managed.

These key risks and how they are being managed are set out below:

##### *Land Contamination*

The contamination assessment found that the land is suitable for the proposed development i.e. a RFS Station, with the implementation of a suitable environmental management plan during construction.

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This risk has reduced significantly and residual risks will be managed through the implementation of the environmental management plan.

It should be noted that the contamination investigations were based on a general surface inspection and specific sub-surface test pits. Given the previous uses of the site and the use of imported material to fill the former dams, it still remains possible that other contamination issues may be uncovered during excavation works. Any discovered issues will be managed in accordance with the environmental management plan.

*Building Design*

The key risk arising from designing a facility of this type is that it is not "fit for purpose" and it hampers, rather than enhances the operations of the Brigade and reduces the amenity of nearby residents and the community.

To minimise the chances of realising design deficiencies, the Station has been designed using standard RFS Station layouts. Modifications have been made, in consultation with the RFS District and Bargo Brigade, to:

- Allow for a "roll-in, roll-out" design that will eliminate reversing beepers when Tankers return during at night
- Checking vehicle swept-paths to ensure Tankers can enter & exist the Station safely
- Consulting with Council's Heritage Adviser on colours and layout as the Station is adjacent to a Local Heritage Item (Wollondilly LEP, Schedule 5, Item I39)
- The orientation to reduce the location impacts of the facility and hence potential concerns from nearby residents

*Site Drainage (into Rail Corridor)*

Should ARTC not accept the proposed stormwater drainage design, the revised non-OSD design will need to be finalised and approved.

It is likely a new design would require either upgrading of the existing drainage structures in the rail corridor, or to follow an alternative drainage path to the east.

*Procurement*

It has been resolved by Council, NOM 4 20/06/2015:

**That as soon as the site for the new Bargo RFS shed is purchased Council calls tenders for construction. The tender is to include all works for the building construction phase. It is to include construction, fit out, driveways, fencing, landscape, earthworks and any ancillary works related**

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**to the shed construction. The tender is to include project management of the tendered works as outlined above.**

Such a tender would be called in accordance with Section 55 of the NSW Local Government Act 1993).

To ensure tenders are complete and subject to minimal variations (scope and price) the prospective tenderers will need to be issued with information, plans and specifications that are complete and subject to as little changes as possible. This will include the dates for having possession of the site from Council for construction works and final construction plans.

Items that can change the scope (and hence time & cost) of building contracts include: contract ambiguity, design changes required under a DA or CC approval, unknown ground conditions, client scope changes and lack of access to the site for construction works.

In order to manage these risks, the current program for the project allows for calling tenders after:

1. Issuance of the DA and CC as well as completion of the detailed designs and specifications incorporating any changes required by either the DA conditions of con or CC approval conditions.
2. Either formal land owner consent to construct or final acquisition of the land, whichever is earliest.

It should be noted that the current resolution would require the tender process to commence after acquisition of the land when acquisition would not be completed until "settlement". Settlement may be some months away given the land registration and the normal land acquisition and title transfer processes.

*Time of Delivery*

Due to approval and access delays in the initial phases of the project, there is little float (surplus time between critical tasks) left in the project program and the forecast commissioning of the station in December 2016 is now ambitious. Even with early access to the land for construction, the tender process and duration is prescribed by the Act and any tenders will require rigorous review and reporting to council. The current program, at best, would see tenders being received the day of the business papers for the July Council closing and any issues or clarifications needed to access the tenders could result on the tenders having to be reported in August or to an Extraordinary meeting.

The current resolution requiring calling tenders for the construction works after acquisition of the land would make achieving December commissioning impossible.

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Members of the community have also expressed a view that the new facility should be available to the Brigade before the start of the next bush fire season in October 2016.

#### *Communications*

As a part of keeping stakeholders and the community informed on progress on this important project we have improved our fortnightly update report to be a milestones summary. This outlined the milestones of the project, when we planned to have them completed, what they depend on, how they are progressing and if their completion timing has changed.

#### Next Steps

1. Council has requested access to part of 10 Avon Dam Road for construction works (the current access licence is restricted to survey and investigation works). Approved access and security of future ownership may be sufficient, subject to the recommendation below, to allow construction works to commence in advance of the land coming in to council's ownership.
2. Continuing to pursue an acceptable drainage solution that will enable the Construction Certificate to be issued.
3. Finalise construction drawings and building specifications
4. Implement a procurement strategy

The project schedule is outlined in the regular Bargo RFS Updates (#40 - 8 April 2016 attached). These can be obtained on Council's website [www.wollondilly.nsw.gov.au](http://www.wollondilly.nsw.gov.au)

#### **CONSULTATION**

This project is and has been the subject of extensive consultation with the NSW RFS Southern Highlands District and the Bargo RFS Brigade Executive.

NSW RFS Southern Highlands District have advised that raise no initial objections to the expenditure of RFS funding for the construction of the new station facility provided that either future ownership is assured or there is a formal agreement in place that allows the construction and ongoing use of the facility on land not owned by council.

#### **FINANCIAL IMPLICATIONS**

As advised in June 2016 report, the estimated costs to acquire and sub-divide the land is \$659,000 and the estimated cost to construct the Station is currently \$795,000. This total estimated cost of \$1,454,000.

The NSW RFS have advised they can provide a total of \$660,766 funding under the NSW Rural Fire Fighting Fund (RFFF) with the amounts being funded over three (3) years (2012-13 \$60,766, 2014-15 \$300,000, 2015-16 \$300,000). In

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In addition, the Bargo Brigade has committed \$50,000 towards the construction of the Station to provide the fourth Tanker Storage Bay i.e. a total of \$710,000 in funding for the building construction component of the project.

Council received confirmation of the approved 2015-16 Financial Year RFS District Budget (RFFF) from the NSW RFS on the 24th November 2015.

The estimated cost for delivering the project will be the subject of review upon receipt of the Construction Certificate to ensure that the existing budget is sufficient. Should the budget require adjustment, the adjustment will be the subject of a report to Council.

**ATTACHMENTS**

Nil.

**RECOMMENDATION**

1. That Council note the progress and the efforts of the project team on delivering the new station facility to date.
2. That Council note and endorse the actions undertaken by staff to seek early access approval from Transport for NSW to 10 Avon Dam Road for construction works.
3. That Council continue to pursue approval from Transport for NSW for early access for construction works, under licence, to enable construction works to commence in advance of the land being acquired by council provided that acquisition of the required land (Lot 1 DP 1210340) is assured to the satisfaction of the General Manager and the Mayor.
4. That, pending an access licence for construction, that construction commence based on a procurement strategy that enables delivery of the new station such that it is commissioned before the passing of another bush fire season.
5. That, pending access to the site for construction works and a sufficient budget allocation, the procurement process for the construction of the new facility and other works required by the conditions of consent commence based on the Construction Certificate requirements.