

OM152502-4 HARRINGTON MEMORIAL PARK REDEVELOPMENT PROJECT AUTHOR: Ian Seuren ENDORSED: Carmen Lawrence DEPARTMENT: Corporate & Community Services FILE REF: F12/8785

Purpose

To outline the works that have occurred at Harrington Memorial Park, Wye River in 2012 to 2014 and detail differences between the 2012 approved plans and the final works, as per the Notice of Motion adopted at Council's November 2014 meeting.

Declaration of Interests No officer declared an interest under the Local Government Act 1989 in the preparation of this report.

Background Council has previously considered issues around Harrington Memorial Park on a number of occasions including a petition for additional works and the establishment of a S86 Committee of Management for the park.

Harrington Memorial Park, located at 1 McLellan Court Wye River, is a 1ha parcel of public open space owned by Council. The reserve is zoned Public Purposes and Recreation (PPRZ) and provides passive open space for the Wye River and Separation Creek communities. Harrington Memorial Park is an important parcel of public open space with which the local community has a strong affiliation. The park is one of the only parcels of useable open space in Wye River/Separation Creek away from the foreshore. It also provides for off-road pedestrian movement from the top of Wye River to the foreshore.

The Harrington Memorial Park project, referred by some as the Multi Use Recreation Facility, has caused significant conflict within the community over a long period of time. Much of the discussion has been in response to concerns that the extent of the works that have been undertaken on the site vary significantly to what was originally proposed.

In response to community concerns, Council resolved the following at the November 2014 meeting:
That Council:

1. Requests that the CEO investigates and provides an officer report to open Council by February 2015 which details the differences between the works that have occurred at Harrington Park in 2012 to 2014 compared to the previously approved plans that were outlined to the community in December 2012.
2. Defers the establishment of the Section 86 Harrington Memorial Park Committee of Management until satisfactory resolution of the works program associated with the Multi Use Recreation Facility and consideration of a report to be provided to Council by March 2015 on the future management options of Harrington Memorial Park.

Council Plan / Other Strategies / Policy

A Place to Live and Grow Is a community where people feel cared for and supported; where buildings and spaces facilitate creativity, social activity and enrichment of life, and people have access to gain the skills and education needed to reach their potential.

Our Goal: Improve access to buildings, spaces, services and education to support and enable quality of life.

Issues / Options Harrington Park Upgrade – Initial Concept

The preparation of the original concept plans for the upgrade to Harrington Memorial Park was funded through Council's 'Improving Liveability for Older Person's (ILOP) program in 2012. A member of the then Harrington Memorial Park Advisory Committee was recommended as an ambassador by Otway Health & Community Services who were a key partner to the ILOP program. Following the development of concept plans and prior to submitting an application for funding, Council was informed that a range of consultation had been undertaken about the project including A1 plans and information on the community noticeboard, pegging out the area in the park, onsite tours, information in the Progress Association newsletter, display of plans at public meetings and presentations to community groups.

All project and expenditure reports as required through the ILOP program were provided to Council. Project Funding In 2013, Council received funding of \$100,000 from Regional Development Victoria's (RDV) Putting Locals First Program for the Wye River Open Space Development which included improvements to Harrington Memorial Park and the development of the Wye River pathway. The funding was to be matched by a contribution from:

- Council (\$35,000)
- Otway Coast Committee (\$10,000 in-kind)
- The community (\$17,022).

The funding available includes \$70,000 (\$60,000 cash and \$10,000 in kind) for the Wye River pathway component of the project which was managed by Otway Coast Committee. From the \$100,000 RDV funding, a total of \$40,000 cash was allocated to the Wye River Pathway component of the project and \$60,000 to the Harrington Park project. A total of \$92,022 was available for the Harrington Park project.

The application to RDV stated the following scope: “This project will involve the improvement of open space in Wye River including new community infrastructure such as an outdoor multi-purpose community space, pathways, BBQ and picnic facilities, interpretive signage and revegetation.”

The project scope, as communicated to the community via correspondence from Council in December 2012 included:

- Extension of the existing levelled area within the park to enable community activities.
- A BBQ and shelter.
- Disabled car park and loading area.
- Pathway rectification.
- Signage, landscaping and revegetation.

There was a concept plan and project summary presented to the community via the community noticeboard and through correspondence to all landowners and key community groups – see Attachments 1 & 2. A summary of the project was also placed on the noticeboard and sent to all landowners.

Response to works on site – 2014

In response to significant concerns raised by the community during 2012-13, Council officers reviewed the works that had occurred onsite and how the project was being delivered. A decision was made to stop the project in October 2013. Following this decision, Council officers conducted detailed planning to enable the project to be completed to the agreed scope, as designed by the funding agreement with RDV. To progress the project, design consultants were engaged to prepare detailed design, specifications and cost estimates for three options associated with the development of the park. Detailed design was completed in mid-2014 and tenders for construction were sought soon after. Works recommenced on site in October 2014 and were managed by Council’s Recreation Officer with assistance from the Capital Works Unit. The works were completed on 24 December 2014.

Project Scope Composting Toilet

It is evident that some of the concern about the ‘scope’ was caused when members of the former Harrington Memorial Park Advisory Committee (Advisory Committee) suggested that additional components be added to the proposal. These included a composting toilet, water tank, basketball backboard, community garden, open fire place, pizza oven. These ideas were promoted by the group using the community noticeboard and other means.

The additional components (in particular the proposal for a composting toilet) would have resulted in additional excavation being required compared to the original scope. At its March 2014 meeting, Council considered a petition from the residents and visitors of Wye River, Separation Creek and Kennett River requesting that additional components be included in the project. Council determined not to include the additional components including the composting toilet.

In response to this decision, the area that was originally excavated (which wasn’t on the original plans) for the purposes of the composting toilet was reinstated. Water Tank Whilst there was always a tank included in the project; it is evident that this was not adequately stated in the communication to the community. The inclusion of a tank was considered to be a minor component by officers and that capturing water is generally appropriate. When detailed designs were prepared, Council officers included the small area to house a tank on the basis that capturing rain water for other users was a practical solution. The small additional excavated area to house the water tank was considered an appropriate part of the scope and was incorporated into the 2014 tendered works.

Site Excavation

The attached plan (Attachment 3) shows the proposed concept plans compared to what was actually constructed to complete the project. The original concept plan indicated a construction area of approximately 350m². The actual constructed area as per the final design plan is approximately 530m². It is important to note that the original concept plan did not indicate a levelled area from the car park to the BBQ shelter which was always intended for access purposes (equating to an approximate area of 50m²) and should have been included. This reflects the failing in the detail provided in the original concept plans and subsequent communication to the community. As noted above, during 2014 Council reinstated some areas where additional earthworks had been undertaken for a composting toilet which weren't indicated on the original concept plan. The small additional area excavated to accommodate the tank has remained (27m²).

As outlined previously the water tank was part of the original approved scope but it is apparent that this was not clearly communicated to the community. As per Attachment 3, the actual excavated area was brought closer to the car park area than what the concept plan indicated. The area between the car park/loading area and the BBQ shelter was originally reasonably level and has been graveled to provide adequate access. Whilst this isn't indicated clearly on the concept plans it was always intended to be a level area. This should have been more clearly communicated.

The scope of the excavation undertaken onsite did impact on a large tree within the park. The close proximity of the excavation to the tree impacted its root system necessitating the tree to be removed, which was not originally intended. Overall, the excavation that has occurred on site is in general alignment with the original concept plan and the infrastructure stated in the points above. Whilst there have been some changes based on on-site conditions, in the main the excavated area is not significantly greater than first proposed.

Community garden

The community garden was an additional request by the former Advisory Committee and other members of the community during 2013 as the project progressed. The community garden concept was outside of the scope of the project for which Council had secured funding. Council officers were aware of the community garden concept and did not oppose the idea due to the level of interest and the fact that the location of the garden was in an area of the park that couldn't really be used for anything else. Gardens beds were donated by a community member.

Whilst not part of the Council project, the tank that was installed will provide water for the community garden. The community garden has attracted a lot of support and a recent inspection shows that it is in a neat and tidy condition. The community garden is currently being overseen by a local community member.

In the future, Council will need to resolve management arrangements for the community garden. The garden is located on Council land and there does need to be formalised control established for it eg: policy/guidelines for size, access, types of plantings etc. It was initially intended that the proposed S86 Committee of Management would control this however Council will revisit options for management of the park at its March 2015 meeting.

Other components

Members of the former Advisory Committee also sought to have an additional area levelled to the west of the already levelled area above the community garden. The purpose of this would be to house a jumping castle on 3-4 occasions throughout the year. Whilst this had been requested to Council officers on a number of occasions, it was never considered to be part of the original scope of the project which was funded by RDV or on the concept plans. This was not included in the final construction works. Project Management from a project management perspective, there were a number of issues associated with this project. The former Advisory Committee, although appearing to function which is evidenced by meeting minutes, had not been formally endorsed by Council for quite some time as a recognised Advisory Committee to Council.

In addition, the Committee's Terms of Reference allowed for the Committee to undertake minor maintenance but not actually manage the park. However, in reality the Committee had been managing the park and doing works in the park for many years and had improved the park significantly. It was

assumed by Council officers that the Committee had a managerial role as per the historic undertakings of the Committee.

Further, the project was being managed by the Recreation, Arts and Culture Unit, however the Advisory Committee guided works onsite. Quotes were sourced originally for all components of the project however detailed design should have been undertaken. Detailed design was undertaken after it was identified that the retaining walls installed, along with site drainage, were likely to be issues.

Another relevant factor is that fact that Advisory Committee advised that significant community consultation had been undertaken following the identification of the project in the Wye River/Separation Creek Community Plan. This included information on the community notice board, onsite meetings and the area to be excavated pegged out in the park for quite some time. Council officers relied on the information provided by the community members proposing the project. The original proposal from the former Advisory Committee stated: "The whole community is really enthusiastic about the project so a lot of 'in kind' assistance has been offered. All the other organisations in the township support the project: Wye, Sep, Kennett Sport and Social Club Inc, the CFA, Progress Association, Surf Club, Wye River Residents Action Group, as has the Colac Otway Shire. The town's 3 business's are supportive – Wye Beach Hotel, Wye Café, Big 4 Caravan Park."

Further consultation and communication with the community from Council should have been undertaken to fully detail the extent of the works to be undertaken and more clearly articulate the scope of the project. In terms of project scope, the Advisory Committee had more extensive plans for the development of the project than what the funding was sought for from RDV. The additional components were to be funded by community donations and were never considered to be part of the funded project scope. There were additional project components which were not in Council's scope of works as per the RDV funding agreement.

Expectations weren't managed appropriately about what was in scope and out of scope. Again, the project scope could have been more clearly communicated to the wider community Proposal That Council note the report detailing the differences between the works that have occurred at Harrington Memorial Park in 2012 to 2014 compared to the previously approved plans that were outlined to the community in December 2012.

Financial and Other Resource Implications

The original budget for the Harrington Park project was \$92,022 which included the following contributions:

Funding Source Amount State Government

- Regional Development Victoria \$60,000 Council \$15,000 Community \$7,872 Community other (proposed grant) \$5,000 Powercor \$2,500 (in-kind) Bunnings \$1,650 (in-kind) TOTAL \$92,022
- The total project cost is approximately \$147,000. This is significantly more than what was anticipated due to additional costs associated with:
 - ♣ Structural and geotechnical advice
 - ♣ Cultural heritage due diligence
 - ♣ Detailed design and tender documentation
 - ♣ Replacement of already installed retaining walls and additional retaining walls required
 - ♣ Reinstatement of additional excavated areas
 - ♣ Removal of tree impacted by excavation and associated off-set costs
 -

As noted previously, after commencement, the project was stopped in October 2013 when Council instigated proper detailed planning to enable the project to be completed to the agreed scope.

To progress the project, design consultants were engaged to prepare detailed design, specifications and cost estimates for three options associated with the development of the park. The detailed design process presented three options, these being:

1. Reinstate the park to its original condition.
2. Continue with the project to the original scope.
3. Continue with the project and include additional components.

Based on the options provided, Council determined to proceed with the project in 2014 based on the original scope, as detailed above. Funds required to meet the project shortfall were reallocated

within the 2013/14 operational budget for recreation and open space development. The project did not directly impact the current budget.

Risk Management & Compliance Issues

A major risk to Council originally was the overall management of the project and the lack of detailed design to implement the project. This had resulted in a significant cost to Council (see Financial and Other Resource Implications section). Risk and compliance issues were considered in the development of the detailed design and further project implementation.

Environmental and Climate Change Considerations

Not applicable to this report.

Community Engagement

The community engagement strategy follows the recommendations of the Colac Otway Shire Council Community Engagement Policy of January 2010, which details five levels of engagement – inform, consult, involve, collaborate and empower. The method selected would be inform and includes advising the community of this report to Council.

There has been significant community interest in the Harrington Memorial Park Redevelopment project since its inception. It is clear that there was, and still are, conflicting views on the need for the project and how the project was managed. A range of consultation and communication activities were undertaken originally and throughout the project both by the proposer and Council, which are detailed above and in previous reports to Council. The ongoing issues associated with this project highlight and reiterate the need for a thorough community engagement plan for community infrastructure projects. It is vital that the project scope is detailed sufficiently and communicated adequately to communities.

Implementation

This project has been completed and no further implementation is required. Conclusion The Harrington Memorial Park project has caused significant conflict within some parts of the Wye River community.

The project was poorly managed initially which lead to a range of issues including excavation undertaken to a greater level than originally proposed. The scope and extent of the project was also not sufficiently communicated to the community.

The project has been largely completed in accordance with the original scope of the project and the redeveloped area is now open to the public.

Attachments

1. Attachment 1 - Harrington Park Original Concept Plan
2. Attachment 2 - Harrington Park Project Information
3. Attachment 3 - Harrington Park Plans - Actual vs Proposed