



*City of*  
**Wanneroo**

**BRIEFING PAPERS  
FOR ELECTED MEMBERS'  
BRIEFING SESSION**

Draft Only

to be held at  
the Council Chambers  
Civic Centre  
on 12 July, 2016 commencing at 6.00PM



## Briefing Papers for Tuesday 12 July, 2016

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# L A T E I T E M S A G E N D A

## Item 5 Late Reports

### 5.1 Aldersea Circle Traffic Treatments

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File Ref:	3120V03 – 16/149481
Responsible Officer:	Director Assets
Disclosure of Interest:	Nil
Attachments:	5

#### Issue

To consider the matter of the speed cushions installed along Aldersea Circle, Clarkson following adoption of the City's Local Area Traffic Management Policy.

#### Background

In response to complaints received from residents relating to speeding and hoon driving on Aldersea Circle (refer to **Attachment 1** for a Location Map), the City conducted traffic counts in March 2009 to investigate the traffic volumes and vehicle speeds. The data collected indicated that a large proportion of drivers were travelling above the default 50km/hr built up area speed limit, and an assessment in accordance with the City's Traffic Management Investigation and Intervention Policy indicated that traffic treatments were warranted.

In August 2012, the City presented a traffic management scheme for community consultation to determine the views of affected residents and property owners. A total of 132 letters were sent to residents and property owners abutting Aldersea Circle to seek feedback if they agree or disagree with the installation of speed cushions as indicated in the proposed traffic management scheme. The response rate to this consultation was 43% and the results indicated that 79% of the responses either strongly agreed or agreed with the installation of speed cushions on Aldersea Circle. It was therefore considered that the proposal had sufficient community support to proceed. The speed cushions were installed in February 2014 according to the traffic management scheme as shown in **Attachment 2** and **Attachment 3**.

At its meeting of 24 June 2014, Council received petition PT02-06/14 from residents opposed to the speed cushions installed in Aldersea Circle. The petition contained 119 signatures and read as follows:

*"We, the undersigned, all being residents of the City of Wanneroo do formally request Council's consideration: To remove, reduce or modify the traffic calming measures on Aldersea Circle, Clarkson so as to be less intrusive in regards to noise and hoon traffic."*

A Report (item no IN03-09/14) on Petition PT02-06/14 was first considered by Council at its' Ordinary Meeting of 16 September 2014. At this time, Council moved to refer the matter back to Administration to further understand the complex legal advice. Following this, Council, at its meeting of 11 November 2014, considered a further Report (Item no IN06-11/14) addressing petition PT02-06/14. In this instance, Council resolved as follows:-

- "1. DOES NOT SUPPORT the removal of traffic treatments on Aldersea Circle;*
- 2. APPROVES the installation of additional bollards to the speed cushion installations at the locations shown on Attachment 11, with the works to be funded from Project No. PR-2656 Traffic Management Projects-Variou;*

3. *REQUESTS Administration to inform all residents on Aldersea Circle and the side street catchment areas of the effectiveness of the speed cushions as demonstrated by the Traffic Speed and Count surveys undertaken in June 2014;*
4. *REQUESTS Administration to undertake a further Traffic Speed and Count survey in February 2015 and report back to Council on the outcomes of this survey and subsequent consultation by June 2015, with these outcomes advised to all residents on Aldersea Circle and the side street catchment areas;*
5. *ADVISES the petition organiser of Council's decision and the process with regards to advising WA Police of hoon behaviour; and*
6. *REQUESTS Administration to undertake a review of the Traffic Management Investigation and Implementation Policy and report back to Council at its meeting in April 2015."*

As requested in resolution 4 of IN06-11/14, community consultation was undertaken and referred back to Council in Report IN09-07/15 at Council's Ordinary Meeting of 21 July 2015. The report investigated the community consultation undertaken in April 2015 and examined a number of possible alternative treatments. At this time, Council resolved as follows:-

- "1. REQUEST administration to complete a review of Traffic Management Investigation and Implementation Policy and report back to Council by November 2015;*
- 2. NOTES that the matters contained in this report to be reconsidered by Council once the reviewed Traffic Management Investigation and Implementation Policy is adopted by Council; and*
- 3. ADVISES the survey respondents of Council's decision."*

In accordance with resolution 2 above this report seeks Council's reconsideration of this issue, following adoption of the City's Local Area Traffic Management Policy (formerly Traffic Management Investigation and Implementation Policy) at Council's Ordinary Meeting of 5 April 2016.

At the Ordinary Council Meeting on 28 June 2016 Council resolved a procedural motion to defer the motion set out in this report to seek further legal advice. Administration has procured the requested legal advice which is provided to Elected Members under separate confidential cover.

## **Detail**

Aldersea Circle is classified within the City's Functional Road Hierarchy as a Local Distributor Road and has been constructed with a 7.4m wide pavement. As a Local Distributor, Aldersea Circle provides a link to a number of Local Access Roads and the arterial road network with a connection to Hester Avenue via Renshaw Boulevard including two connections to Connolly Drive via Brooks Pass and Victorsen Parade. The traffic counts for Aldersea Circle indicate a traffic volume in the region of 2,000 vehicles per day (vpd) which is well under the desirable capacity of a Local Distributor Road of 6,000 vpd. There has been no significant change in traffic volumes on Aldersea Circle as a result of the speed cushions being installed.

Administration has conducted a number of traffic counts in Aldersea Circle to determine the long term effect of the speed cushions on vehicle speeds. The results are presented in the tables below.

**Table A**

<b>Traffic Counter Location</b>	<b>85<sup>th</sup> percentile speed (km/h)</b>				
	<b>Pre speed cushion</b>	<b>Post speed cushion</b>			
	<b>June 2012</b>	<b>Jun 2014</b>	<b>Feb 2015</b>	<b>Aug 2015</b>	<b>May 2016</b>
<i>North of Victorsen Parade</i>	58	48	48	50	51
<i>East of Hurst Trail</i>	59	45	49	49	49
<i>North of Pitchford Glade</i>	57	46	46	45	45
<i>North of Frawley Ramble</i>	58	50	52	52	51
<b>AVERAGE DATA</b>	<b>58</b>	<b>48</b>	<b>49</b>	<b>49</b>	<b>49</b>

**Table B**

<b>Traffic Counter Location</b>	<b>Vehicles Exceeding 50 km/h Speed Limit (%)</b>				
	<b>Pre speed cushion</b>	<b>Post speed cushion</b>			
	<b>June 2012</b>	<b>Jun 2014</b>	<b>Feb 2015</b>	<b>Aug 2015</b>	<b>May 2016</b>
<i>North of Victorsen Parade</i>	56	9	11	18	19
<i>East of Hurst Trail</i>	57	6	12	13	13
<i>North of Pitchford Glade</i>	46	7	7	5	6
<i>North of Frawley Ramble</i>	59	15	24	22	21
<b>AVERAGE DATA</b>	<b>55</b>	<b>9</b>	<b>13</b>	<b>15</b>	<b>15</b>

**Table C**

<b>Traffic Counter Location</b>	<b>Maximum recorded speed</b>				
	<b>Pre speed cushion</b>	<b>Post speed cushion</b>			
	<b>June 2012</b>	<b>Jun 2014</b>	<b>Feb 2015</b>	<b>Aug 2015</b>	<b>May 2016</b>
<i>North of Victorsen Parade</i>	113	83	88	99	93
<i>East of Hurst Trail</i>	107	92	101	83	92
<i>North of Pitchford Glade</i>	133	89	82	74	82
<i>North of Frawley Ramble</i>	97	87	89	88	99
<b>AVERAGE DATA</b>	<b>112</b>	<b>88</b>	<b>90</b>	<b>86</b>	<b>91</b>

The above data indicates that there has been a significant long term reduction in vehicle speeds as a result of the speed cushions. While Table C shows that there are still a small number vehicles travelling at excessive speeds, the speed data shows that both low level and high level speeding have been significantly reduced. Since the installation of the speed cushions, the number of vehicles travelling below the speed limit has increased from 45% in 2012 to 85% in 2016.

The number of vehicles travelling 50-60 km/h has reduced from 44% to 14%, the number of vehicles travelling 60-70 km/h has reduced from 9% to 1%, number of vehicles travelling 70-80 km/h has reduced from 0.8% to 0.2%, number of vehicles travelling 80-90 km/h has reduced from 0.12% to 0.03%, number of vehicles travelling 90-100 km/h has reduced from 0.03% to 0.01% and the number of vehicles travelling over 100 km/h has reduced from 0.01% to 0.

Administration has also examined the crash history for Aldersea Circle before and after the installation of speed cushions. This data is provided to the City by Main Roads WA on an annual basis with the latest update being received in May 2015. To maximise available data, crashes occurring in 2014 were split into those crashes occurring prior to the installation of speed cushions (4 crashes) and crashes occurring after the installation of speed cushions (2 crashes). In the 50 months prior to the installation of the speed cushions, a total of 12 crashes were recorded at an average of 2.9 crashes per year. In the 22 months following the installation of speed cushions, a total of three crashes were recorded at an average of 1.6 crashes per year.

Due to natural annual variations in crash data, the time period is too short to determine if there has been a statistically significant drop in the number of crashes in Aldersea Circle. The data so far does seem to indicate that the reduced vehicle speeds have led to the expected safety benefits in terms of a reduced crash rate.

## Consultation

Consultation was originally undertaken in August 2012 with residents and property owners in Aldersea Circle. The majority of respondents to this consultation were in favour of installing speed cushions with a response rate of 43%. Following the submission of petition PT02-06/14 additional consultation was undertaken in the wider area in April 2015 with the results presented to Council in Report IN09-07/15. This consultation indicated that the majority of respondents did not approve the speed cushions; however the response rate to this consultation was below 20%.

There have been no changes to the effectiveness of the treatment or the road environment since April 2015 therefore; Administration considers that further community consultation is not necessary.

## Comment

A number of alternative options to address vehicle speeds in Aldersea Circle were raised by the community in the April 2015 community consultation. These were addressed in detail in Report IN09-07/15 and the outcomes of this analysis are summarised in the table below:

Suggested Treatment	Pros	Cons
Signage and Enforcement	<ul style="list-style-type: none"> <li>Removes issues with vehicle noise</li> </ul>	<ul style="list-style-type: none"> <li>Main Roads WA would not allow the installation of 50 km/h signs</li> <li>Police are limited in resources available for enforcement</li> <li>Speeds are likely to rise following removal of speed cushions</li> </ul>
Alternative Vertical Deflection (e.g. speed humps)	<ul style="list-style-type: none"> <li>Likely to be as effective as the speed cushions</li> </ul>	<ul style="list-style-type: none"> <li>Same vehicle noise issues as speed cushions</li> <li>Considerable cost to the City</li> </ul>

Horizontal Deflection (e.g. slow points)	<ul style="list-style-type: none"> <li>Can be designed to be as effective as speed cushions</li> </ul>	<ul style="list-style-type: none"> <li>Vehicle noise issues still possible from accelerating vehicles and trailers going over kerbing</li> <li>Impacts on property access</li> <li>Considerable cost to the City</li> </ul>
Roundabouts	<ul style="list-style-type: none"> <li>Effective in reducing speeds in close proximity to the roundabouts</li> </ul>	<ul style="list-style-type: none"> <li>Land acquisition would have major impact on some residents</li> <li>Require treatments between intersections</li> <li>Considerable cost to the City</li> <li>Noise associated with acceleration and deceleration of vehicles at roundabouts</li> </ul>
Median Islands	<ul style="list-style-type: none"> <li>Removes issues with vehicle noise</li> </ul>	<ul style="list-style-type: none"> <li>Impacts on property access</li> <li>Much less effective in reducing vehicle speeds</li> <li>Considerable cost to the City</li> </ul>
Zebra Crossings	<ul style="list-style-type: none"> <li>Generally well supported by the community</li> </ul>	<ul style="list-style-type: none"> <li>Main Roads WA would not allow the City to install zebra crossings</li> <li>Not suitable in residential areas</li> <li>Only slows traffic when pedestrians are present therefore ineffective where pedestrian numbers are low</li> <li>May reduce pedestrian safety due to relatively low pedestrian numbers</li> </ul>
Rumble Strips	<ul style="list-style-type: none"> <li>May improve driver alertness</li> </ul>	<ul style="list-style-type: none"> <li>Much less effective in reducing speed</li> <li>Generate high levels of noise</li> </ul>
Partial Removal of Speed Cushions (remove every second set of cushions)	<ul style="list-style-type: none"> <li>May reduce noise locally depending on alternative treatment</li> </ul>	<ul style="list-style-type: none"> <li>Where cushions are removed, speeds can return to previous levels</li> <li>Residents where speed cushions remain may feel aggrieved</li> </ul>

The costs for the above listed treatments varies from a few thousand dollars (signage) to well over a million dollars (roundabouts).

As requested by Council in the resolutions of Report IN09-07/15, an assessment of Aldersea Circle was conducted using the recently adopted Local Area Traffic Management Policy (LATMP). Under the new policy, the traffic management score (using the original 2009 data) would be 18, which would not qualify for consideration of traffic management treatments. **Attachment 4** shows the original assessment under the TMIIP and **Attachment 5** shows an assessment under the City's new LATMP.

The issue of using the new LATMP to review previously installed traffic treatments was discussed in Report AS02-04/16 at the time of considering the new LATM Policy as detailed below:

*"In assessing traffic management schemes which have already been installed by the City, the new LATM does not propose a review under the new policy. Both the TMIP and the proposed LATMP rank projects to ensure funds are expended in the most appropriate locations. Where changes to scoring criteria indicate that a project identified under the TMIP would not qualify under the LATMP, this does not indicate that the project was unnecessary or ineffective, rather it indicates a change in priority for funding allocation. Any review of the existing TMS shall be undertaken on a case-by-case basis and considered by Council. Given the limited budget available, the likely detrimental effect on road safety and the cost to remove existing traffic treatments, it will be difficult to justify this course of action when the funds required for removal could be allocated to other projects to improve safety on the City's roads. Removal of existing traffic treatments should therefore only be considered where they are shown to be ineffective."*

Administration considers that this advice applies to the existing situation on Aldersea Circle. While Aldersea Circle would not have qualified for traffic treatments under the new LATMP, Administration does not consider that this has any bearing on the continued use of speed cushions as installed. While the new LATMP would rank Aldersea Circle behind a large number of other projects, the existing speed cushions have been shown to have led to a long term reduction in vehicle speeds on Aldersea Circle and a drop in the crash rate from 2.9 crashes per year to a rate of 1.6 crashes per year.

To remove the speed cushions would cost in the order of \$70,000, the majority of this cost being for the grinding of linemarking and for traffic management. Given that the speed cushions have been shown to be effective, this is likely to lead to a reduced safety outcome for the community. Legal advice originally provided in 2014 and further confirmed in 2016 (both of which are provided to Elected Members under separate confidential cover) indicates that this course of action would not meet the City's Duty of Care obligations and would leave the City vulnerable to legal action in the case of a crash related to removal of speed cushions on Aldersea Circle.

Report IN09-07/15 identified slow points as the preferred form of alternative treatment if it were decided to replace the speed cushions on Aldersea Circle. Slow points were identified as being able to provide a comparable level of speed reduction to the existing speed cushions which would allow the City to meet its Duty of Care obligations. It was also highlighted that slow points would have a negative impact because of their increased footprint may restrict property access and in their high cost with the 11 sets required potentially costing up to \$880,000.

As stated in Report IN09-07/15, three options are available to the City:

1. Remove the speed cushions and list a project in the long term Capital Works Program for installing alternate treatments. The risk is that the travel speed of vehicles will return to the original level. As the City is aware of this likelihood, any crashes occurring following the removal of the speed cushions would see the City exposed regarding its Duty of Care obligations;
2. List a project in the long term Capital Works Program for installing alternate treatments and keep the speed cushions in place until the alternative treatment can be installed; and
3. Continue using the speed cushions in Aldersea Circle as a preferred traffic treatment.

Administration supports option 3 for the following reasons:

- The speed cushions are shown to be effective in reducing vehicle speeds on Aldersea Circle;
- Initial evidence shows the speed cushions to be effective in reducing the number of crashes on Aldersea Circle; and

- Removal of the speed cushions would not allow the City to meet its Duty of Care obligations.

## **Statutory Compliance**

Nil

## **Strategic Implications**

The proposal aligns with the following objective within the Strategic Community Plan 2013 – 2023:

*“2 Society - Healthy, safe, vibrant and active communities.*

*2.3 Safe Communities - We feel safe at home and in our local area.”*

## **Risk Management Considerations**

There are no existing Strategic or Corporate risks within the City's existing risk registers which relate to the issues contained in this report.

The speed cushions were installed in Aldersea Circle in response to the traffic safety concerns and risk to community safety due to speeding. An assessment of the relevant traffic data in accordance with the City's Traffic Management Investigation and Intervention Policy determined that traffic treatments were warranted. The current available data indicates that the traffic safety risks have been mitigated greatly by the installation of speed cushions.

If the speed cushions are removed, the identified safety risks (and traffic safety issues experienced prior to the installation of speed cushions) that were alleviated by the installation of the speed cushions would be enlivened. The exposure to the City would be greater as those risks are known, the City has a duty of care to mitigate such risks and the City undertook a specific action to mitigate such risks in accordance with the Policy applicable at that time. Even though the current Policy assessment based on the traffic data prior to the installation speed cushions indicates that the traffic treatments may not be warranted in Aldersea Circle, City's exposure to the traffic safety risk if the speed cushions are removed, would still be considered greater for the reasons set out above. Therefore, in the absence of any alternate traffic treatments, the continued use of speed cushions in Aldersea Circle is considered to be the most appropriate mitigation measure.

## **Policy Implications**

Nil

## **Financial Implications**

There are no financial implications in relation to Administration's recommendation.

Removal of the speed cushions and grinding of existing line marking is expected to cost in the order of \$70,000.

The implementation of an alternative traffic treatment scheme such as (eleven) angled slow points is expected to cost in the order of \$880,000.

## **Voting Requirements**

Simple Majority

## Recommendation

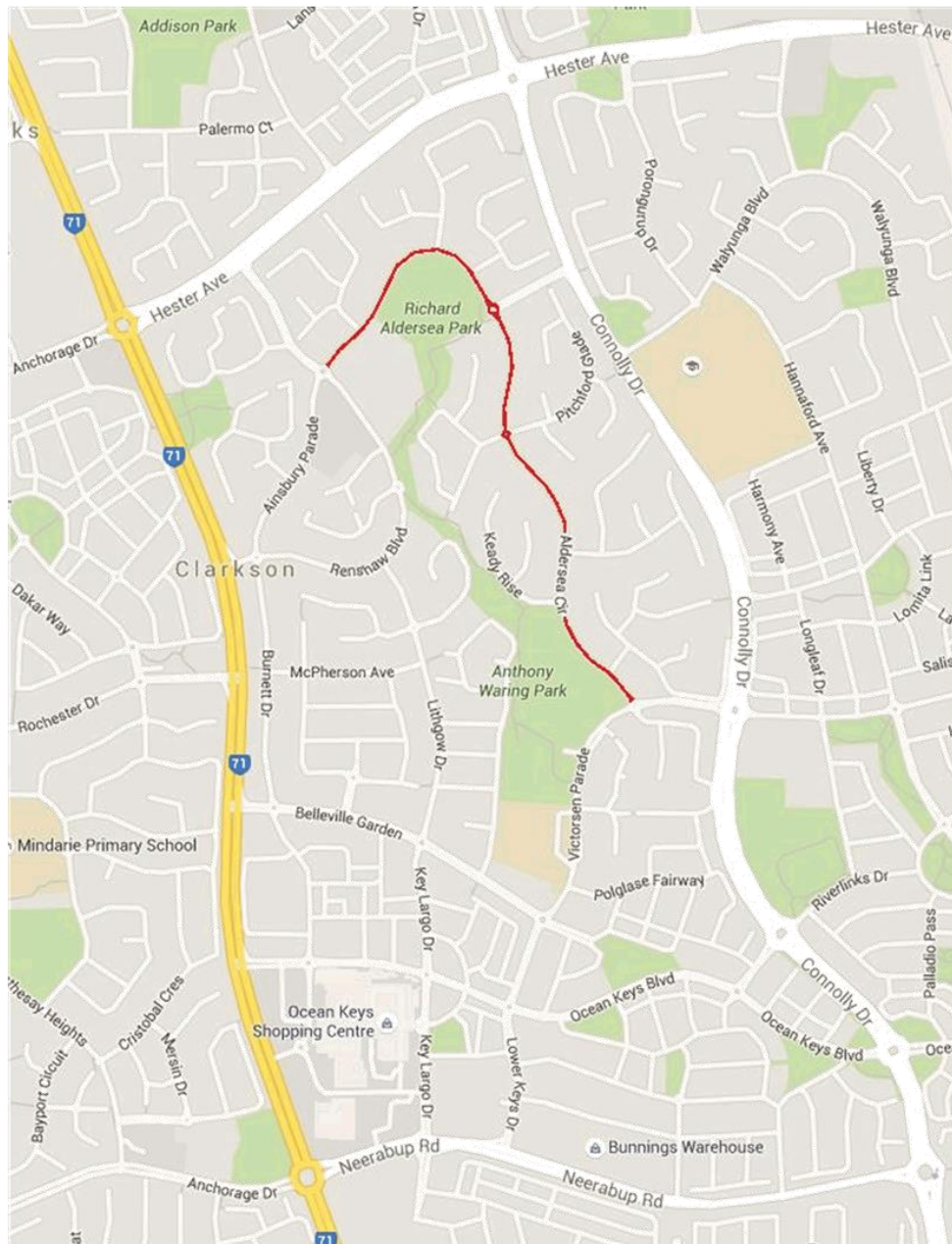
### That Council:-

1. **NOTES** that the speed cushions in Aldersea Circle have proven effective in reducing vehicle speeds and crashes;
2. **SUPPORTS** the continued use of speed cushions as an effective traffic treatment in Aldersea Circle, Clarkson; and
3. **ADVISES** the petition organizer of Council's decision.

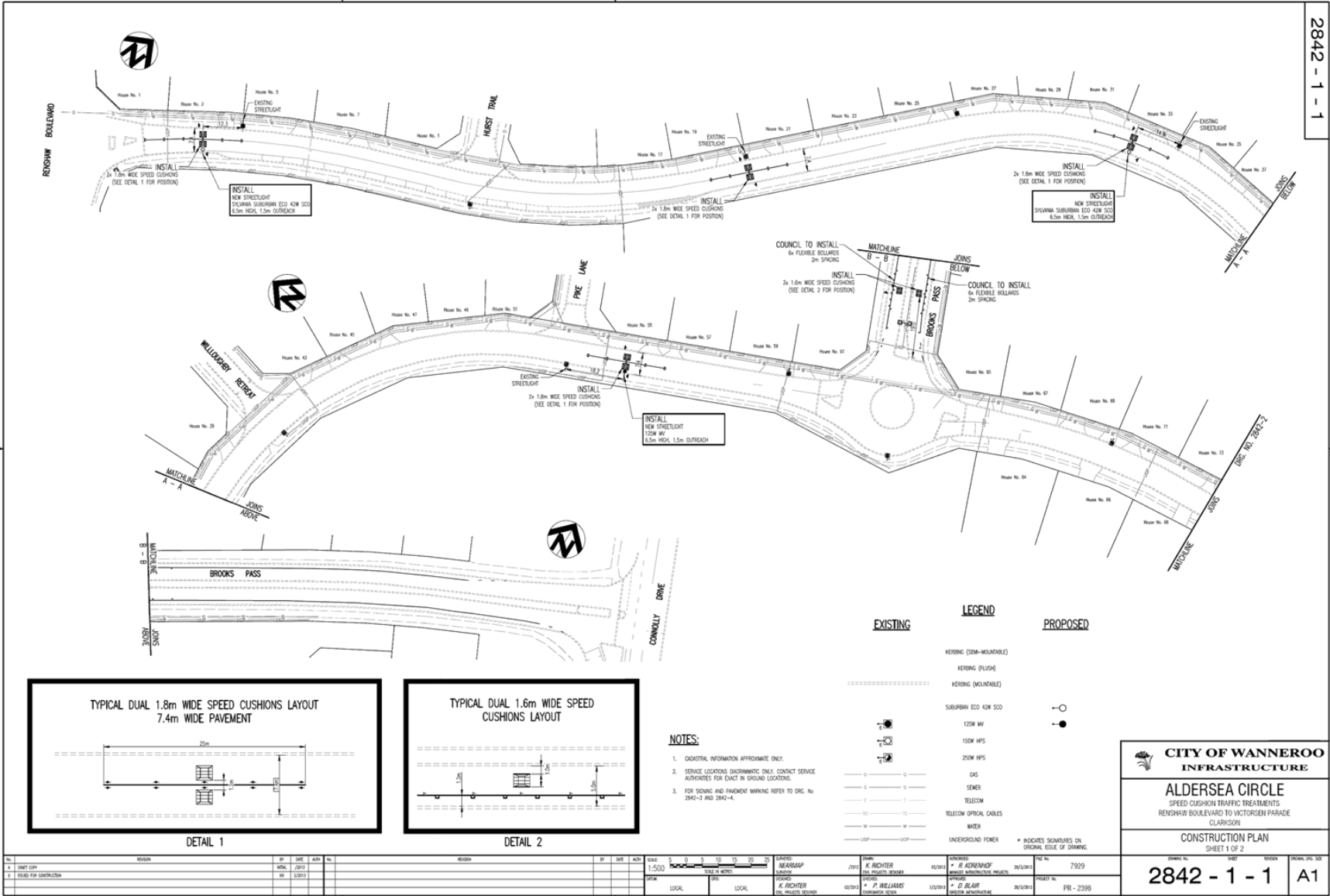
#### *Attachments:*

- |    |   |           |
|----|---|-----------|
| 1. | <i>Aldersea Circle Location Map</i>                 | 16/188793 |
| 2. | <i>Aldersea Traffic Treatments Drawing 1</i>        | 14/193615 |
| 3. | <i>Aldersea Traffic Treatments Drawing 2</i>        | 14/193617 |
| 4. | <i>TMIIP Assessment - Aldersea Circle 2009 Data</i> | 14/248306 |
| 5. | <i>LATMP Assessment - Aldersea Circle 2009 Data</i> | 16/169363 |

## ALDERSEA CIRCLE – LOCATION MAP







**Road Name** Aldersea Circle  
**Road section** Brooks Pass - Victorsen Parade  
**SLK** 0.62 - 1.65  
**Reason**  
**Date** 09/09/2014  
**Assessment By**  
**Traffic Dataset ID** M5-12/03/2009  
**FRH** Local Distributors  
**Speed Limit** 50

**TMS Score** 71 **This site has technical problems**

	Parameter	Range/Item	Local Road	Local Distributor	Data	Score
Traffic Volume	Traffic Volume (AWDT)	1000 - 1499	4	0	2310	0
		1500 - 1999	7	0		
		2000 - 2499	10	0		
		2500 - 2999	14	0		
		3000 - 3999	18	4		
		4000 - 4999	24	7		
		5000 - 5999	30	12		
		> 6000	39 + 9/1000	18 + 7/1000		
Traffic Speed	85th percentile in 50km/hr residential or commercial zone	Under 50km/h	0	0	60	10
		50 - 53km/h	2	2		
		54 - 57km/h	5	5		
		58 - 61km/h	10	10		
		62 - 65km/h	15	15		
		66 - 68km/h	25	25		
		69 - 72km/h	40	40		
		73 - 76km/h	65	65		
	More than 5% of vehicles are travelling above the speed limit by	20km/h	15	15		0
		30km/h	30	30		
		40km/h	45	45		
		50km/h	60	60		
	Highest Traffic Speed	>90km/h	10	10	148.4	30
		>110km/h	20	20		
		>130km/h	30	30		
		>150km/h	40	40		
Crash Data	Accident reduction factor	0 - 1000	1.0	1.0	0.8	
		1000 - 2000	0.9	0.9		
		2000 - 3000	0.8	0.8		
		3000 - 4000	0.7	0.7		
		4000 - 5000	0.6	0.6		
		> 5000	0.5	0.5		
	Fatal - 5years x Reduction factor	1	4	4	0	0
		2	20	20		
		3	45	45		
		Above 3	45 + 25/ea	45 + 25/ea		
	Injury - 5years x Reduction Factor	1	3	3	1	2.4
		2	12	12		
		3	27	27		
		Above 3	27 + 15/ea	27 + 15/ea		
	Property Damage - 5years x Reduction Factor	1	2	2	8	28.8
		2	6	6		
		3	11	11		
		Above 3	11 + 5/ea	11 + 5/ea		

Road Design & Topogrphy	Restricted sight vertical curve (85th percentile speed)	< 50km/h	2	2		0	
		50 - 60km/h	6	6			
		> 60km/h	18	18			
	Restricted sight horizontal curve (85th percentile speed)	< 50km/h	2	2		0	
		50 - 60km/h	6	6			
		> 60km/h	18	18			
	Bends with unrestricted sight (85th percentile speed)	< 50km/h	0	0		0	
		50 - 60km/h	2	2			
		> 60km/h	6	6			
	Steep Hill (85th percentile speed)	< 50km/h	1	1		0	
		50 - 60km/h	4	4			
		> 60km/h	10	10			
Vulnerable Road Users	Major pedestrian or bicycle crossing point (Traffic volume on road)	0 - 1000	0	0		0	
		1000 - 2000	1	1			
		2000 - 3000	2	2			
		3000 - 4000	3	3			
		4000 - 5000	4	4			
		> 5000	5	5			
	Important bicycle route (Traffic volume on road)	0 - 1000	0	0		0	
		1000 - 2000	1	1			
		2000 - 3000	2	2			
		3000 - 4000	3	3			
		4000 - 5000	4	4			
		> 5000	5	5			
Activity Generators	Schools (85th percentile speed)	< 30km/h	0	0		0	
		30 - 40km/h	2	2			
		40 - 50km/h	4	4			
		50 - 60km/h	8	8			
		> 60km/h	10	10			
	Retail (85th percentile speed)	< 30km/h	0	0		0	
		30 - 40km/h	2	2			
		40 - 50km/h	4	4			
		50 - 60km/h	8	8			
		> 60km/h	10	10			
	Commercial Vehicles	Austroads Class 3	< 1%	0	0	1.2	0
			1 - 2%	2	0		
2 - 3%			4	1			
3 - 4%			7	3			
4 - 5%			10	6			
> 5%			12	8			
Austroads Class 4 - 6		< 2%	0	0	1.9	0	
		2 - 4%	2	0			
		4 - 6%	4	1			
		6 - 8%	7	3			
		> 8%	12	8			
Austroads Class 7 - 10		< 2%	2	0	0	0	
	2 - 4%	5	0				
	4 - 6%	10	2				
	6 - 8%	15	6				
	> 8%	20	10				
Amenity	Rat-running	< 10%	0	0		0	
		10 - 20%	5	3			
		20 - 40%	15	10			
		> 40%	20	15			
	Property access restricted	No	0	0		0	
		Yes	5	10			
	Bus Route	No	0	0		0	
		Yes	-15	-25			
	Road required to cater for future traffic growth	No	0	0		0	
		Yes	-20	-40			
	Total Score						71

**Road  
Suburb**

From

To

Posted Speed Limit

Section Length

Road Type

**Aldersea Circle  
Clarkson**

Brooks Pass

Victorsen Parade

50 km/h

1.03 km

Distributor

<b>Speed</b>	Value	Score
85th % Speed (km/h)	60	10
% of vehicles 30 km/h over PSL	0.2	0

<b>Traffic Volumes</b>	Value	Score
AWT	2310	-3

<b>Crash History</b>	Value	Score
Fatal	0	0
Injury	1	4
Non Injury	8	8

<b>Road Design &amp; Topography</b>	Value	Score
Restricted Sight - Vertical	0	0
Restricted Sight - Horizontal	0	0
Unrestricted sight on Bend	0	0
Steep Hill	0	0

<b>Vulnerable Road Users</b>	Value	Score
Pedestrian Crossing Point	0	0
Important Bicycle Route	0	0

<b>Activity Generators</b>	Value	Score
Educational Institution	0	0
Major Retail	0	0

<b>Heavy Vehicles</b>	Value	Score
% of vehicles Class 3+	3.1	0

<b>Amenity Factors</b>	Value	Score
Rat Running % of through traffic	0	0

**Traffic Management Score (TMS)****18**

Assessed By

Data Set

Reason

Assessment Date

R Jackson

M5-12/03/2009

Assessment

03/05/2016

## 5.2 Tender 01636 for the Construction of the Yanchep Active Open Space, Lot 9100 Yanchep Beach Road, Yanchep

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File Ref:	4504 – 16/234105
Responsible Officer:	Director Assets
Disclosure of Interest:	Nil
Attachments:	Nil

### Issue

To consider Tender No 01636 for the Construction of Yanchep Active Open Space, Lot 9100 Yanchep Beach Road, Yanchep.

### Background

Council, at its meeting of 26 May 2015 (CR05-05/15; IN01-05/15 refer), considered the costs associated with the Oval Groundworks and Marmion Avenue Extension in relation to the Deed of Agreement for the Yanchep Active Open Space (YAOS) and adopted following resolutions;

*CR-05/05/15 - ENDORSES the estimated Oval Groundwork's Costs as detailed in the report, therefore complying with the requirements of Clause 5.1(b)(ii) of the Deed of Agreement between the City of Wanneroo and the Yanchep Beach Joint Venture, subject to satisfactory completion of the Developer Contribution Plan for Yanchep-Two Rocks.*

*IN01-05/15 - ACCEPTS the agreed total Marmion Avenue Extension Costs of \$1,650,592.05, therefore complying with the requirements of Clause 4.2(b) of the Deed of Agreement between the City of Wanneroo and the Yanchep Beach Joint Venture, subject to satisfactory completion of the Developer Contribution Plan for Yanchep-Two Rocks.*

On 27 August 2015 the Chief executive Officer in accordance with Part 6.4 – “Choice of most Advantageous Tenderer” of the City's Consolidated Delegated Authority Register for awarding of tenders limited to \$250,000; accepted Tender No 01516 for the lump sum price of \$132,312 (ex GST) from Lycopodium Infrastructure Pty Ltd for the provision of Services for Design Development and Contract Administration for the Yanchep Active Open Space.

It is noted that the final oval groundworks are now almost complete. Following the completion of the detailed design, tenders were invited for the construction of Yanchep Active Open Space and this report now considers the outcome of the tender evaluation.

### Detail

The Tender for the Construction of Yanchep Active Open Space (YAOS), Lot 9100 Yanchep Beach Road, Yanchep, was advertised on 4 June 2016 and closed on 21 June 2016.

A copy of the Tender documents has been made available in the Elected Members' reading room.

Tender submissions were received from the following companies:

- BCL Group Pty Ltd;
- Civcon Civil & Project Management Pty Ltd;
- Environmental Industries Pty Ltd;
- Menchetti Consolidated Pty Ltd;

- RJ Vincent & Co;
- Le Grove Landscaping; and
- Tracc Civil Pty Ltd.

### Tender Assessment

It was determined that each of the Tenderers had satisfied the Tender submission qualification.

The Tender Evaluation Panel consisted of three members whose functions were:

Evaluation Panel Member	Function
Project Manager Yanchep Infrastructure	Undertake the technical assessment and qualitative scoring of all tender submissions
Project Manager Infrastructure Projects	Provide input and oversight to the qualitative (technical) assessment
Technical Officer - Irrigation	Provide input and oversight to the qualitative (technical) assessment

Contracts officers provided an oversight of the evaluation process for statutory compliance and verify the value for money assessment.

Tenders were evaluated in accordance with the following selection criteria:

1. **Methodology:** the construction of the works and phasing requirements.
2. **Demonstrated Experience:** undertake and completed projects of a similar nature and complexity.
3. **Resources and Capability:** to construct the works within the nominated timeframe and schedule; qualifications and experience of the tenderer's key personnel and their position in management of the works; list of all subcontractors whose services will be utilised for the works.
4. **Occupational Health & Safety Management:** must provide an overview of the organisations Safety and Health Management System (OSHMS) and provide current applied examples commensurate with construction work.
5. **Contract Lump Sum:** including priced Bill of Quantities, costed lump sum tender price schedules.

The nominated weightings applied to each of the five selection criteria are noted as follows:

Item No	Category	Score
1	Methodology	20%
2	Demonstrated Experience	10%
3	Resources & Capability	10%
3	Occupational Health & Safety Management	20%
5	Price for Works offered	40%
<b>Total Weighted Score</b>		<b>100%</b>

Tenders were assessed against the selection criteria outlined above, along with a financial risk assessment and reference check to determine the most appropriate Tender providing the best 'value for money' submission.

#### **Methodology (20%):**

Environmental Industries Pty Ltd, RJ Vincent & Co, provided very good methodology statements and conveyed a more detailed understanding of the works to be carried out. Gantt charts were included that clearly outline the timelines proposed for each phase of the works.

The remaining submissions had some shortcomings in fully demonstrating their understanding of the project requirements and their approach to ensure acceptable project delivery; therefore, based upon the information provided, tenders have been ranked as below under this criterion:

<b>Tenderer</b>	<b>Ranking</b>
Environmental Industries Pty Ltd	1
RJ Vincent & Co	2
BCL Group Pty Ltd	3
Le Grove Landscaping	3
Menchetti Consolidated Pty Ltd	3
Tracc Civil Pty Ltd	6
Civcon Civil & Project Management Pty Ltd	6

#### **Demonstrated Experience (10%):**

RJ Vincent & Co, BCL Group Pty Ltd and Environmental Industries Pty Ltd presented a good standard of experience in relation to the delivery of similar projects. Remaining submissions provided an adequate response to this criterion; therefore, based upon the information provided, tenders have been ranked as below under this criterion:

<b>Tenderer</b>	<b>Ranking</b>
RJ Vincent & Co	1
BCL Group Pty Ltd	2
Environmental Industries Pty Ltd	2
Tracc Civil Pty Ltd	4
Menchetti Consolidated Pty Ltd	4
Civcon Civil & Project Management Pty Ltd	4
Le Grove Landscaping	7

#### **Resources and Capability (10%):**

Assessment of this criterion considered the tenderer's staff resources to manage the contract. BCL Group Pty Ltd, Environmental Industries Pty Ltd, Tracc Civil Pty Ltd and RJ Vincent & Co provided a good submission clearly outlining specific resources and ample capacity. Remaining submissions provided an adequate level of resources and capability, therefore based on the information provided tenders have been ranked as tabled below under this criterion:

<b>Tenderer</b>	<b>Ranking</b>
BCL Group Pty Ltd	1
Environmental Industries Pty Ltd	1
Tracc Civil Pty Ltd	1
RJ Vincent & Co	1

Le Grove Landscaping	5
Menchetti Consolidated Pty Ltd	5
Civcon Civil & Project Management Pty Ltd	5

#### **Occupational Health & Safety Management (20%):**

Tenderer's safety management policies and practices were assessed in response to their completion of an Occupational Health and Safety Management System Questionnaire and with respect to their approach, specific to the requirements of this project as included within the Tender documentation. Based on the information provided, tenders have been ranked as tabled below under this criterion:

<b>Tenderer</b>	<b>Ranking</b>
Tracc Civil Pty Ltd	1
RJ Vincent & Co	1
Civcon Civil & Project Management Pty Ltd	1
Environmental Industries Pty Ltd	4
Menchetti Consolidated Pty Ltd	4
BCL Group Pty Ltd	6
Le Grove Landscaping	6

#### **Price for Works offered (40%):**

An assessment was made to determine ranking based on the Tender lump sum price; this included a review of the lump sum price schedules as provided by the Tenderers. Based on the information provided, tenders have been ranked as tabled below under this criterion:

<b>Tenderer</b>	<b>Ranking</b>
BCL Group Pty Ltd	1
Environmental Industries Pty Ltd	2
Le Grove Landscaping	3
Tracc Civil Pty Ltd	4
Menchetti Consolidated Pty Ltd	5
RJ Vincent & Co	6
Civcon Civil & Project Management Pty Ltd	7

#### **Tenderer's Overall Weighted Score:**

The Tender submissions were reviewed against weighted scores based upon an evaluation of each tenderer's – Lump Sum price; construction methodology; demonstrated experience; resources and capability; and displaying an appropriately employed safety management system to be able to undertake the construction of the tendered works.

The overall weighted score has resulted in the following tender ranking:

<b>Tenderer</b>	<b>Ranking</b>
Environmental Industries Pty Ltd	1
RJ Vincent & Co	2
BCL Group Pty Ltd	3
Tracc Civil Pty Ltd	4
Menchetti Consolidated Pty Ltd	5
Le Grove Landscaping	6
Civcon Civil & Project Management Pty Ltd	7

The Tender Evaluation Panel confirms and recommends that the City should accept the tender of Environmental Industries Pty Ltd for the construction of the YAOS.

## Consultation

Administration has engaged with key stakeholders throughout the development of this project including meetings with the representatives of the Yanchep Redhawks Football Club; the Cricket and Little Athletics Clubs. The comments provided by the Clubs have been considered during the detailed design of this project. The comments were minimal and the clubs were in agreement with the design as a whole with minor adjustments to location of some item of infrastructure. All clubs have since been provided with updated information as it became available.

Furthermore, as the Yanchep Active Open Space facility is included as an infrastructure item in the Yanchep Two Rocks Development Contribution Plan (DCP), Administration has consulted with the landowners in Yanchep and Two Rocks through the Yanchep Two Rocks DCP Technical Advisory Committee on 5 April 2016 and 13 May 2016 as well as an informal meeting with landowners on 29 June 2016. This consultation has occurred as part of the annual review process for the DCP, part of which comprises a review of all estimated costs for the construction of DCP facilities, which includes the Yanchep Active Open Space.

At these meetings the landowners noted the pre-tender cost estimates for the Yanchep Active Open Space and the fact that this cost estimate will be revised following the outcome of the tender process. Once the preferred tender is accepted, this cost will be factored into the DCP review process.

## Comment

The panel is satisfied that the proposed costs for the works reflect best value for the City.

As the Tender submission from Environmental Industries Pty Ltd achieved the highest ranked score in accordance with the assessment criteria and weightings and is recommended as the preferred Tenderer.

Reference checks indicate that Environmental Industries Pty Ltd has previously provided good service to its previous clients.

In 2014/15, the City had some concerns with the provision of maintenance services by Environmental Industries Pty Ltd under another contract. However, since then Environmental Industries Pty Ltd has delivered satisfactory service under other maintenance contracts with the City. It is also noted that the concerns experienced under the previous contract should not impact the tender evaluation panel's recommendation for tender 01636.

## Works Programme

The construction of the Yanchep Active Open Space anticipated programme is outlined as follows:

Report to Council – Construction Tender Outcome	July 2016
Contract Award and Procession of Site	August 2016
Construction Completion	January 2017
Practical Completion	January 2017
Maintenance & Establishment Period	April 2017
Winter Planting (by the City)	June 2017

Following award of the Tender, City's appointed consultant will administer the contract during the construction and after practical completion of the works, and the maintenance & establishment period. Thereafter attend upon the 12 month defects liability period.

Procurement of the non-irrigated tube stock will be carried out by the City ahead of the winter 2017 planting, which is scheduled to be completed in June 2017. This will be closely followed by the completion of the District Sports Amenities building in early July 2017.

### **Statutory Compliance**

Tenders were invited in accordance with the requirements of Section 3.57 of the Local Government Act 1995. The tendering procedures and evaluation complied with the requirements of Part 4 of the Local Government (Functions and General) Regulations 1996.

### **Strategic Implications**

The proposal aligns with the following objective within the Strategic Community Plan 2013 – 2023:

- "1 Environment - A Healthy and sustainable natural and built environment*
  - 1.1 Environmentally Friendly - You will be part of a community that has a balance of environmentally friendly development and conservation areas for future generations to enjoy"*

### **Risk Management Considerations**

There are no existing Strategic or Corporate risks within the City's existing risk registers which relate to the issues contained in this report.

Assessment of Environmental Industries Pty Ltd was undertaken by Corporate Scorecard, indicating that it has a sound financial capacity to undertake the contract in question.

Documentation will be provided by the contractor identifying operational risks and mitigation measures associated with the delivery of these contract works, the implementation which will be audited by the City as part of the management of these contract works.

### **Policy Implications**

Tenders were invited in accordance with the City's Purchasing Policy.

Notwithstanding the consideration for sustainable procurement in accordance with Section 15 of the City's Purchasing Policy, the evaluation of this tender did not set out specific criteria to assess sustainability.

### **Financial Implications**

The table below summarises the available funding for the project, including current expenditures, for the recommended tender price by Environmental Industries Pty Ltd for the Construction of the Yanchep Active Open Space and associated expenses:

Project Number PR- 2072 Yanchep Active Open Space Playing Fields		
Description	Expenditure	Budget
<b>Budget:</b>		
Budget prior to 2015/2016		\$158,235
Capital Works Budget for 2015/16		\$1,403,257
Budget 2016/17		<b>\$5,803,508</b>
Total allocated Budget to date (PR-2072)		<b>\$7,365,000</b>
<b>Expenditure:</b>		
Expenditure incurred to date	\$310,273	
Commitments (2015/2016)	\$17,692	
Construction Activities		
- Tender No. 01560 for the Construction of the Yanchep Active Open Space – Based on Recommended Tenderer's (Environmental Industries Pty Ltd) price	\$3,839,343.94	
- <i>Based on Recommended Tenderer's Price Contingency @10%</i>	\$383,934.40	
Associated other works including soil enhancers, site security, additional paving, and play equipment etc.	\$500,000	
Winter Planting Works	\$600,000	
Construction and Project Management Costs	\$150,000	
<b>Total Expenditure (estimated)</b>	<b>\$5,801,243.34</b>	
<b>Total Project Budget</b>		<b>\$7,365,000</b>
<i>Balance:</i>	\$1,563,756.66	

Council has approved an allocation for project PR-2072 of \$5,803,508 as part of the 2016/17 budget process; the budget provision includes a grant from the Department of Sport and recreation of \$975,000 and a loan of \$3,560,239. The project cost will be reviewed and an appropriate budget adjustment will be requested as part of the mid-year budget review during January 2017.

In relation to the Yanchep Two Rocks DCP, it should be noted that the preferred tender cost is less than what has previously been allowed for in the DCP as outlined below:

- DCP Cost Estimate = \$7,365,000
- Updated estimate based on Tender Cost = \$5,801,243

Savings resulting from the reduced cost estimate cannot be automatically used on other elements of the Yanchep Active Open Space (i.e. sporting pavilion, land acquisition). Instead they represent a cost saving to the City and the DCP on a proportionate basis according to the cost apportionment schedule adopted by Council for the DCP and these cost savings will need to be factored into the annual review of the DCP.

Administration has been working separately with the Yanchep Two Rocks DCP Technical Advisory Committee on the annual review of the DCP, which has been considering the funding and cash-flow requirements for DCP projects. A significant driver in the establishment of the DCP was to provide for the early delivery of some of the DCP facilities, in particular the Yanchep Active Open Space. To this end, land acquisition for the Yanchep Active Open Space was approved by the Minister for Planning for inclusion in the DCP to provide the land for the facility in advance of the normal subdivision process, the DCP Report adopted by Council listed the delivery of the facility in year 2 of 10, and a Deed of Agreement was established with the Yanchep Beach Joint Venture setting out the responsibilities and

timeframes for construction. Also associated with the early delivery of the Yanchep Active Open Space was the need to access loan funds to 'pre-fund' construction in advance of sufficient income being available in the DCP, with this loan to be progressively repaid over the life of the DCP by developing landowners.

It is important to note that should Council resolve to accept a tender for these works, this will 'lock in' the need to access loan funds to meet the DCP's proportionate funding contribution towards this facility, and in turn 'lock in' these costs in the DCP model currently being finalised as part of the annual DCP review.

It should also be noted that although landowners in the DCP area were involved in the process of preparing the DCP, including Council's subsequent adoption of facility timing and cost apportionment schedule, they have made a submission through the annual DCP review process noting their opposition to the establishment of loan funding to prefund the works, and have requested that the City defer all works not already committed to until such time as there are sufficient funds in the DCP to pay for the works.

In relation to these matters, it is important to be clear that the type and number of facilities included in the DCP was determined through the Minister for Planning's approval of Amendment No. 122 to District Planning Scheme No. 2 (DPS 2) and these are not subject to annual review or challenge by landowners. However, the DCP Report and Cost Apportionment Schedule, which set out the facility timing and DCP costs, were adopted by Council but sit outside DPS 2 and are subject to annual review. Through the process of this annual review, the relevant clauses of DPS 2 only provide opportunity for landowners to comment or request a review of specific DCP elements as outlined in the following clauses from Schedule 17:

***11.6 Where the review of estimated costs recommends those costs be increased pursuant to clause 11.4(c), then the local government shall in writing invite comment on the proposal from owners for a period of not less than 28 days, prior to making any decision to increase the estimated costs.***

*11.7 The local government shall consider all submissions received and within ninety (90) days of the date of the latest date specified in the notice given under clause 11.6, decide that the estimated costs are to be:*

*(a) maintained; or*

*(b) increased and if so the degree of that increase.*

*The local government shall notify affected persons of its decision.*

*11.8 If an owner objects to the amount of a cost contribution, the owner may give notice to the local government requesting a review of the amount of the cost contribution by an appropriate qualified person ('independent expert') agreed by the local government and the owner at the owner's expense, within 28 days after being informed of the cost contribution.*

*11.9 If the independent expert does not change the cost contribution to a figure acceptable to the owner, the cost contribution is to be determined—*

*(a) by any method agreed between the local government and the owner; or*

*(b) if the local government and the owner cannot agree on a method pursuant to (a) or on an independent expert, by arbitration in accordance with the Commercial Arbitration Act 1985, with the costs to be shared equally between the local government and owner.*

*12.3 If an owner objects to a valuation made by the valuer, the owner may give notice to the local government requesting a review of the amount of the value, at the owner's expense, within 28 days after being informed of the value.*

Essentially these provisions allow landowners to make comment on any proposed increase in the cost estimates (clause 11.6) and Council is required to give due regard to any submissions made in this respect (clause 11.7) before deciding whether or not to increase the DCP costs. In the case of this tender, the cost estimate has reduced significantly from what was previously identified in the DCP. Landowners may also object to the amount of a cost contribution (clause 11.8) and request a review by an independent expert. If this does not result in the cost contribution being acceptable to the landowners then ultimately they can request that the cost contribution be determined through a process of arbitration. A similar right exists for the process of determining the value of any land to be acquired through the DCP (clause 12.3).

Given that the extent of review provided for landowners under DPS 2 does not extend to the timing of delivery of facilities or the right to access loan funds (provided for in the Yanchep Two Rocks DCP included in Schedule 18 of DPS 2) to facilitate the early delivery of DCP facilities, it is considered appropriate that Council proceed to accept this tender, subject to the establishment of a loan to meet the DCP's proportionate contribution towards the construction costs.

### **Voting Requirements**

Simple Majority

### **Recommendation**

**That Council, subject to the City receiving approval of the required loan funding, ACCEPTS the tender submitted by Environmental Industries Pty Ltd for Tender No. 01636 for the Construction of the Yanchep Active Open Space Lot 9100 Yanchep Beach Road, Yanchep for the fixed lump sum price of \$3,839,343.94 in accordance with the terms and conditions specified in the tender document.**

*Attachments: Nil*