

ITEM NO: 22

SUBJECT: SPRINGWOOD COMMUNITY AND CULTURAL FACILITY UPGRADE

FILE NO: F06299 - 10/167808

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**Management Plan Link**

*Principal Activity:* Civic Leadership - Providing Good Government

*Service:* City-wide Strategic Planning

*Project:* Undertake feasibility studies on revitalisation of Springwood Town Centre including upgrading of civic amenities

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**Recommendations:**

1. *That the Council note the schedule of previous Council resolutions relating to the Springwood Town Centre Project and provided as Attachment 1 of this report;*
2. *That the Council resolves that the program outlined in this report and report recommendations take precedence over previous resolutions of the Council relating to the upgrade of Springwood Community and Cultural Facilities;*
3. *That the Council terminates the Springwood Project tender process and notifies the proponents;*
4. *That the Council does not proceed with the community poll and community consultation on the Springwood project tender process as resolved in Minute No.35 of the Ordinary Council Meeting of 17 February 2009;*
5. *That, where practical, all significant Councillor briefings relating to the Community and Cultural Facilities Upgrade in Springwood are held in Springwood;*
6. *That the Council delegates authority to the Mayor and General Manager to negotiate conditions and to affix the Council seal to any contracts or other documentation required to accept the funding offer from the Federal Government as necessary and that any executed delegations are reported to the Council;*
7. *That the Council notes the draft Project Program and receives a further report once conditions of the Federal Government funding are clarified;*
8. *That a tender brief is prepared and advertised seeking proposals from recognised and experienced architectural consultants with team skills to undertake master planning and detailed design documentation with the option to prepare a development application, and subsequent construction documentation;*
9. *That the brief is guided by, but not limited to the following key directions:*
  - a. *Facilities are to be located on the Civic Centre site;*
  - b. *The Master plan should encompass all existing facilities;*
  - c. *The project program should identify a clearly staged plan that recognises the available budget at this point in time as \$9.5 million;*
  - d. *Business planning and feasibility assessment is to be undertaken to ensure facilities can be built and operated and maintained within budget, and that economies of scale are achieved;*
  - e. *Staging for the upgrade is examined through the master planning process;*

- f. *That, given the ongoing financial constraints on the Council, the master planning examines inclusion of potential revenue generating opportunities e.g. commercial;*
  10. *That the community is kept informed of the master planning process and consulted at key milestones determined by Council; and*
  11. *That the community be advised of the resolutions from this report.*
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## **Report by Group Manager, Community & Corporate:**

### **Reason for report**

This first part of this report provides a response to the Minute from the Councillor report to the Ordinary Council Meeting of 2 November 2010 on Springwood Town Centre where it was resolved:

*“That the Council:*

1. *Endorse the content of the report;*
2. *Receives a report from the General Manager as soon as possible providing the option for discontinuing the present process for the Request for Detailed proposals from the three proponents, discontinuing the process for assessing those proposals and, as a consequence, also discontinuing the community poll; and*
3. *Other, than the above, continues with the Springwood Town Centre process.”*  
[Minute No.447]

The second part of this report begins to respond to the Council report of 21 September 2010 where the Council resolved (in part):

3. *“That a workshop be convened for Councillors to consider the ramifications, if any, for the approach to the Springwood Project following the funding announcement with a view to a further report coming back to Council once the funding details and timing have been confirmed.”*  
[Minute No. 413]

### **Background**

This section is divided into relevant parts.

#### Part 1: Current Council Resolutions on the Springwood Project

There are a number of current Council resolutions on the Springwood Town Centre Project. Certain resolutions around the project and potential funding mechanisms for the upgrade of Community and Cultural facilities in Springwood have been deferred pending clarification of the conditions of \$9.5 million from the Federal Government. The Council has resolved to seek advice on how to discontinue these resolutions, and this advice is provided below.

Attachment 1 provides a summary table of resolutions on Springwood Town Centre Project (STCP). In summarising these resolutions the following comments are made:

1. Four (4) resolutions relate to the continuation of the STCP tender process and this process is recommended to be formally terminated;
2. Two (2) resolutions relate to holding a community poll of opinion on the outcomes of the tender and this process is recommended to be discontinued;
3. Two (2) resolutions relating to location of meetings and briefings which consider Springwood Town Centre matters may no longer apply to this changed project and it is recommended that new resolutions are considered;

4. A number of the resolutions have been completed;
5. The remaining resolutions are considered appropriate to continue.

The resolutions under review fall outside of the 3 month Local Government Act 1993 requirements for the need for a rescission to be lodged by Councillors to change a standing resolution. Consequently the Council can resolve to cancel the tender and the community poll processes and there is no risk or liability to the Council in taking this action. More detail is provided below:

1) Tender process

In accordance with the terms and conditions of the Call for Expressions of Interest (EOI) the Council is able to cancel the tender process at any time without penalty. The extract below outlines the main relevant condition:

*“D13 Reservation of Rights*

*In addition to any reserved rights set out elsewhere in this Call Document, Council reserves the right, without assigning any reasons, to:....*

- *terminate the process at any time or modify any aspect of this process, including, without limitation, Council’s objectives, the evaluation process, the evaluation criteria or timetable*
- *cancel, vary, amend, supplement, replace or supersede this Call Document or any of the matters set out in it at any time*
- *postpone, delay, suspend or cancel the process”...*

Given the above the Council is able to resolve to terminate the tender process and to notify the proponents accordingly. A suitable recommendation to that effect has been made. Depending on the decisions of the Council in response to this report the outcome will be made public through a suitable media release.

2) Community Poll

At the Ordinary meeting of the Council of 17 February 2009 it was resolved relative to community consultation on the Springwood Town Centre Project:

*“3. That, if all the proponents indicate an intention to continue in the process, a public consultation on the Springwood Town Centre Project will take place and this process will include a ‘poll’/referendum of community opinion in Faulconbridge, Springwood, Hawkesbury Heights, Sun Valley, Winmalee, Yellow Rock, Hawkesbury Heights, Sun Valley and Warrimoo;*

*4. That the process of public consultation on the Springwood Town Centre Project also include options for obtaining input on the issues referred to in 3, above, from residents outside of those Townships, possibly through the BMCC website.”*

[Minute Number 35]

If the tender process is terminated there is no longer a need to undertake the community poll. A recommendation has been included to discontinue the need for the community poll.

3) Location of Councillor Briefings and Council meetings on Springwood Community and Cultural Facility Upgrade:

Resolutions relating to the Springwood Town Centre Project required the location of Ordinary meetings of the Council and major briefings on Springwood Town Centre Project to be held in Springwood.

It is considered that in relation to holding significant Councillor briefings on this project, that where practical they should be held in Springwood. A recommendation to that effect has

been provided. Council may wish to consider the policy direction in regards to Council meetings in consideration of significant decisions on this project now that the funding has changed the approach to the way forward.

#### Part 2: Next Steps with Project

The General Manager has been advised that the Council is highly likely to be provided with details on the conditions and timing of the Federal Government funding before the end of 2010. Hence the draft program outlined in this report is presented on the understanding that a further report to the Council is still required once details of the funding conditions have been received, and the implications of the conditions have been discussed in a workshop with Councillors.

However in order to meet the anticipated time frame for the Federal funds it is important to expedite detailed planning as a high priority. This report presents a broad program and outlines initial work necessary to commence planning for the design and subsequent construction of upgrades of community and cultural facilities in Springwood at this stage to the value of the Federal funding of \$9.5 million.

#### a) Project Name

In order to clearly separate this project from the previous tender process it is proposed that the project be named "*Springwood Community and Cultural Facilities Upgrade.*" This will maintain a clear focus on the upgrade of facilities. The term "Upgrade" is meant to describe the upgrade of facilities to meet current and future community needs which may encompass the replacement and/or modification of the existing facilities and/or construction of new facilities.

#### b) Project Management Structure

In order to progress the project in a timely manner the Council should adopt a suitable project governance and management structure to oversee the project and to provide the means for input, guidance and communication as the project progresses. This should be subject to further consideration and formal decision.

At this point it is considered that regular special Councillor briefing sessions will be scheduled to maintain Council input and contact with the project. Any matters requiring a decision of the Council will be formally reported to Council.

It needs to be recognised that given the significance of the project and the inevitable tight funding timeframe that briefing sessions will need to be held outside and in addition to the normal briefing session schedule.

An internal staff working party will be formed to prioritise and manage the project from an organisational perspective. This internal working party will be chaired by the General Manager.

As details of the funding will be received after the report for the December 14 meeting has been finalised it is recommended that, if there are time constraints on acceptance of the funding, the Council delegates authority to the Mayor and General Manager to negotiate conditions and to affix the Council seal to any contracts or other documentation required to accept the funding offer from the Federal Government and that any executed delegations are reported to the Councillors in the Councillor Bulletin and reported to the next available meeting.

#### c) Key Directions to Inform the Project Brief

The brief to engage a consultant team is to be prepared in consultation with the Councillors with a view to advertising in February 2011. The tender process is likely to take 3 months. A

number of key directions which are proposed to guide the brief are outlined below. These have been informed by studies undertaken to date and the results of community consultation. The key directions to be confirmed by the Council are:

1. Scope of the project;
2. Funding available;
3. Site parameters;
4. Detailed design for stage 1 of the upgrade is to match the available budget;
5. Priorities for the different facilities to be upgraded are to be confirmed in conjunction with the master planning; and
6. Continuation of community information and engagement throughout the project.

Each of these key directions is discussed below:

#### 1. Scope of the Project:

It is recommended that the project focus upon the upgrade of community and cultural facilities to meet current and projected future community needs. This, when open and operating at each stage of development, will attract people to Springwood and have a positive impact upon the vitality of the town centre.

#### 2. Funding

The funding from the Federal Government is \$9.5 million. It is likely that the Council will need to provide a minimum of \$500,000 over 3 years to fund upfront tender processes and design fees required to get the project progressed to meet timelines. and to fund project management and site works which are likely to be excluded by the Federal funding conditions.

There is approximately \$100,000 available in the project budget this financial year. This will be necessary to engage consultants and to commence master planning. Additional funding of \$200,000 has been already identified in the draft budget preparation for 2011-2012.

As \$10.0 million is considered to be insufficient to upgrade all the facilities to a standard to meet current and projected needs of the community, it is essential that the Council stage the project to match available funds. The Council can also identify other sources of funding and seek these over time. Other funding options include:

- NSW Government grants such as:
  - Funding from the NSW Government may be available in association with the 2011 elections and the Council has already resolved to lobby on this issue;
  - Current grant programs which may continue to be available in the future could include:
    - Arts NSW capital projects for cultural facilities which fund up to 50% of project costs up to \$100,000 and (\$250,000 in exceptional circumstances) but not including planning; parking; upgrades to amenities or other requirements of the Building Code of Australia (BCA). Funding rounds usually open around June each year;
    - Library development grants which fund up to \$200,000 with applications open around July annually, but as these grants must be spent within the same financial year projects need to be under or commencing construction at the time of application;
- Loans
  - Council's ability to meet current loan repayments in the immediate and medium term future is severely constrained, and there is limited capacity to repay any significant new loans. This approach would need very careful consideration having regard to Councils Long Term Financial Plan;

- Other Options could be considered. However, these would require detailed consideration particularly in regard to flow on impacts. This should be considered as a separate exercise.

### 3. Site:

The Council owns 3 large sites in Springwood Town Centre which could accommodate some or all of the facilities under consideration for upgrade. These are the Civic Centre site, and the Northern and Southern car park sites further up Macquarie Road.

Information was provided to the community in May 2010 illustrating initial concepts for new development on the Southern car park site, and upgrade of the existing facilities on the Civic Centre site. Other broad concepts for the Northern car park or a mix were also discussed in the information. A deliberative survey was conducted on these concepts and on the means to fund the upgrade. Written submissions and a self selected survey feedback were also invited. The results of this consultation were reported to the Council on 22 June 2010.

There was a preference shown through all forms of consultation for the retention of facilities on the Civic Centre site. A major point expressed in support of this option was that this would keep all facilities on the one site enabling further integration of service delivery and development of a community services hub. Staging of upgrades would also be possible on the Civic Centre site. It should be noted, however, that staging may significantly disrupt use of the site by existing services.

A key consideration in the selection of the site is the timeframe for the delivery of the \$9.5 million grant. The Civic Centre site is seen to be the only site that would deliver the project in the likely timeframe. There are always constraints in working on and around existing facilities and there can be temporary closures to buildings and services. These issues will be considered as part of the Master Planning process. A recommendation has been made that the design brief considers the Civic Centre site. Council will need to consider this aspect and give direction.

### 4. Master Plan and Staging of the Project

As there are insufficient funds currently available at this time for the Council to upgrade all facilities to the desired standard it is expected that staging of the upgrade will be necessary. Development of an overall master plan for the upgrade of facilities will ensure consistency and coordination of works over time while ensuring flexibility. The master plan and staged program would inform a staged development application. Initially detailed designs would be required only for those works to be undertaken in Stage 1 of the project and able to be constructed within the available budget. This would provide flexibility to design the next stages to suit the needs and budget when available.

### 5. Priorities for Upgrade of Facilities

In order to develop a staged master plan to meet the available budget it will be necessary to identify a preferred order of priority for upgrade of the various facilities. Key criteria and planning principles for consideration in the identification of priorities would include:

- The need to improve the standard and capacity of existing facilities;
- Demographic trends within catchment areas for the facilities;
- Planning for an ageing community;
- Current and projected future demand on facilities and services;
- Principles of facility design including:
  - Access and equity;
  - Safety in design;
  - Child friendly cities;
- Cultural and heritage values;

- Buildings condition reports;
- Blue Mountains Service Provision Framework; and
- Sustainability principles.

Results of the community consultation process, concluded in May 2010 provide information on levels of satisfaction with existing facilities. Other planning studies have investigated needs and suggested priorities for provision. These will inform the consultant brief. It is proposed that the Council further consider and consult with stakeholders and the community on priorities during the development of the master plan and this requirement will be included for in the consultant brief.

**6. Community Information and Consultation Program**

It is essential that key stakeholders and the broader community are provided information on the planning processes and engaged at appropriate key milestones in the master planning of the precinct. A program for effective communication of information and community engagement will be an important requirement in the consultant brief and will need to be developed.

**Project Program**

It is envisaged that Council would need to work to a 3-year timetable for final delivery of the Federal Government funding commencing July 2011. The draft Project Program outlined below provides an indicative timeline only and will need to be reviewed in light of conditions of the funding, and subsequent tenders accepted for the master plan and design, and for the construction phase. An updated program is to be reported to the Council in February 2011 along with conditions of the grant.

It is pertinent to note that the project development, master planning, prioritisation and preparation of detailed design documentation through to achieving development consent (through the Joint Regional Planning Panel (JRPP)) is estimated to take up to eighteen months. In order to meet the expected funding conditions it is critical to commence planning now and to ensure adequate funds are available to support this work prior to expected release of the Federal funding in July 2011.

**Draft Project Program**

<b>No</b>	<b>Key Action</b>	<b>Duration</b>	<b>Report to the Council</b>
1	Develop brief for master plan and detailed design	2 months: Feb 2011	No: To be discussed in Councillors Briefings
2	Tender for consultant team to prepare master plan, detailed design, development application and construction documentation	3 months: April 2011	Yes: 19 April 2011
3	Master plan development	3 months: July 2011	Yes: 9 August 2011
4	Stage 1 detailed design and business plan including transition arrangements for affected services; development application preparation and lodgement	3 months: Oct 2011	Yes: 1 November 2011
5	Assess development application and refer to Joint Regional Planning Panel for determination	6 months: May 2012	No: Ongoing updates provided to Councillor briefings
6	Prepare construction documentation and tender documentation	1 month (and 5 months concurrent with DA assessment) June 2012	No: Ongoing updates provided to Councillor briefings

No	Key Action	Duration	Report to the Council
7	Run tender process for construction	3 months: Sept 2012	No:
8	Award construction contract	Sep 2012	Yes: 20 September 2012
9	Transition arrangements for continuity of services put in place	2 months (concurrent with construction tender process): Sep 2012	Yes: regular updates reported to the Council
10	Construct Stage 1	By June 2014	Yes: Regular updates reported to the Council
11	Fit out and open facility	By June 2014	Yes: regular updates reported to the Council
<b>Total</b>	<b>Completion of Stage 1 by end June 2014</b>	<b>3 years 6 months</b>	

**Sustainability Assessment**

Effects	Positive	Negative
Environmental	Inefficient buildings which are inadequate for purpose will be retrofitted or replaced to achieve substantial improvements in energy and water use.	Waste will be generated where recycling is not feasible or practical
Social	Facilities which are inadequate for use will be updated or replaced with facilities able to cater to current and predicted community needs. Upgrades will result in improved access to facilities. Choice of the Civic Centre site to enhance the existing community and cultural precinct recognises the cultural and heritage values attached to the long term use of this site.	Transition arrangements during construction may result in some facilities being closed and services relocated for the period.
Economic	Business plans for upgrade of the facilities including operating and replacement costs will examine the most affordable scenarios for upfront and ongoing operations.	Increased capacity of facilities may increase operational and replacement costs in the medium to long term and this will need to be factored into future budgets.
Governance	Council will need to follow the government guidelines for major infrastructure projects and consider and implement project and risk management strategies appropriate for a development of this size and cost.	The time frame imposed by the funding may limit the extent of community input to the master planning.

**Financial implications for the Council**

Termination of the tender process and not proceeding with the polling of community opinion avoids previously expected Council expenditure.

The draft program and key directions have been developed to remain within the current and projected funding of \$9.5 million from the Federal Government and \$500,000 from the Council. \$100,000 is provided within the budget 2010-2011 and \$200,000 in the draft budget for 2011-2012.

If the project results in an expansion to the Council’s existing built assets there will be additional asset maintenance and renewal costs over time. There is also the likelihood that additional administration cost could be incurred. The Council needs to consider the impact of the project on the 2010-2020 Long Term Financial Plan and Asset Management Strategy particularly if it was to exceed the \$9.5 million grant. Further work on the financial implications will be completed, in conjunction with the master planning, when the outcomes from this exercise are known.

**Legal and risk management issues for the Council**

Should the Council adopt the way forward recommended in this report the proponents shortlisted in the previous EOI process will be formally advised. There are no other legal or risk management issues for the Council in implementing the recommendations of this report.

**Conclusion**

It is recommended that the Council terminate the Springwood Town Centre Project tender process. It is also recommended that the Council not proceed with the community poll proposed around the outcomes of the tender process.

A further report is to be brought to the Council detailing the conditions of the Federal grant, once this is known. As there are no Councillor briefings or meetings between 14 December and 1 February 2011, recommendations are made to enable commencement of planning work in the interim as this project will be time constrained. This will involve mechanisms for project development, management and governance including the:

- Preparation and advertisement of a tender brief to engage consultant services for master planning, design documentation, preparation of the development application and construction documentation; and
- Endorsement of key principles to guide the brief.

**ATTACHMENTS/ENCLOSURES**

<b>1</b>	Attachment 1	10/186500	Attachment
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Attachment 1

***Timeline and Summary of Council reports and resolutions on Springwood Town Centre Project.***

**PART 1: Summary Record of Council Decisions on Springwood Town Centre Project (STCP)**

N.B. Those resolutions which are recommended for review are shown in bold

<b>COUNCIL REPORTS</b>	<b>Date</b>	<b>Minute No.</b>	<b>Needing change</b>
Council land in Springwood Town Centre	31/05/2005	160	No
Reclassification of Council Owned Land Springwood	19/12/06	NA	NA
Council Land in Springwood	27/12/06	NA	NA
Springwood Town Centre Revitalisation	30/01/2007	18	No
Springwood Town Centre Project	24/04/2007	90	No
Springwood Town Centre Options Report	07/08/2007	210	No
Public Exhibition of Options Report for the Springwood Town Centre Project	12/10/2007	289	No
Springwood Town Centre Project: Call for Expressions of Interest	30/10/2007	304	No
Question with Notice: Springwood Town Centre Project	29/01/08		No
<b>Response to Question with Notice: Springwood Town Centre Project</b>	<b>19/02/2008</b>	<b>408</b>	<b>Yes (meeting location)</b>
<b>Springwood Town Centre Project : Assessment of Expressions of Interest (confidential)</b>	<b>11/03/08</b>	<b>430 and 441</b>	<b>Yes (tender and briefing location)</b>
Question without Notice: Assessment of expression of interests	13/03/08	NA	NA
Response to Question with Notice: Springwood Town Centre Project	1/4/2008	withdrawn	NA
Resignation from Springwood Town Centre Advisory Committee	24/04/08	NA	NA
Springwood Town Centre Project Plan	15/7/08	561	No
Notice of Rescission: Springwood Town Centre Project Assessment of Expressions of Interest	11/11/08	726	No
<b>Mayoral Minute 3: Springwood Town Centre Project</b>	<b>17/02/09</b>	<b>35</b>	<b>Yes (poll)</b>

Response to Question with Notice: Costs to Date of the Springwood Town Centre project	14/04/2009	136	No
Springwood Town Centre response from Proponents	05/05/09	156	No
Springwood Town Centre	15 12/09	572	No
Amended Program for Springwood Town Centre Project	02/02/10	29	No
Program for Community Consultation on options for Upgrade of Springwood Community and Cultural Facilities	06/04/10	129	No
Results of consultation on options for upgrade of Springwood Community and Cultural facilities, and options to proceed	22/06/10	269	No
<b>Results of consultation on options for upgrade of Springwood</b>	<b>22/06/10</b>	<b>270</b>	<b>Yes (tender)</b>
<b>Results of consultation on options for upgrade of Springwood</b>	<b>22/06/10</b>	<b>271</b>	<b>Yes (poll)</b>
Grant for Springwood Town Centre Project	21/09/10	413	No
Update on Springwood Town Centre Project	12/10/12	447	No
Springwood Town Centre	2/11/10	481	No

**PART 2: COUNCIL RESOLUTIONS ON SPRINGWOOD PROJECT**

Part 2 lists the full resolutions of the Council relating to the Springwood Town Centre Project.

**31 May 2005: Item 6: Council land in Springwood Town Centre**

This report was prepared in response to a council expressed interest and advised Council of the works done to date relating to the identification and examination of potential options for possible development of public land in Springwood Town Centre.

**The Council resolved:**

1. *That the information contained in this report be received and noted.*
2. *That Council adopt the draft vision for Council land in Springwood Town Centre as outlined in this report.*
3. *That Council support the preparation of development concept plans for Council's land in the Springwood Town Centre.*
4. *That the development concept plans be presented to Council for endorsement for placing on public exhibition for community consultation and engagement process, including at least one public meeting.*
5. *That no work commence on the preparation of the plans before the funding of \$70,000 necessary for their preparation is identified.*
6. *That a report come back to Council detailing options for the provision of the required \$70,000 as mentioned above. (Minute 160: 31/05/2005)*

**30 January 2007: Item 12: Springwood Revitalisation**

This report provided advice and a project plan to Councillors in response to their request for work to be undertaken for key sites in Springwood Town Centre owned by the Council.

**The Council resolved:**

1. *That the Council endorses Option 2, which includes a report to the Council following an expression of interest process by December 2007, to progress the use of certain land within Springwood for future development opportunities.*
2. *That \$50,000 be re-allocated at the March 2007 Budget Review to fund the Springwood Town Centre Revitalisation project.*
3. *That the 2006/2007 and draft 2007/2008 Management Plans be amended to reflect the priority given by the Council to the Springwood project.*
4. *That this matter be oversighted by the Finance and Assets Working Party and the Springwood Town Centre revitalisation be a standing item on the agenda until this matter is finalised. (Minute 18: 30/1/2007)*

**29 March 2007: Stakeholder workshop**

A workshop was held for community, business and government representatives around a process to gather valuable community opinion/knowledge and to inform the community about the Council's possible intentions in undertaking an Expressions of Interest process. This EOI process would involve the use or sale of significant public assets and possible changes to the operation of the shopping centre. A report is available on the workshop prepared by Julian Crawford of *Ecosteps*, who facilitated the workshop.

**24 April 2007 Item 8: Town Centre Project**

This report provided a general update on progress to date; and details the contents and outcomes of consultation undertaken for the project.

**The Council resolved:**

1. *That the Council note the progress of the Springwood Town Centre Project, as outlined in this Report.*
2. *That the Council note the summary of the major outcomes of the Springwood Town Centre Stakeholder Workshop, as outlined in this Report and in the Attachment to this Report.*
3. *That the Council endorse further community consultation on the proposed re-development of the three identified Council owned sites in Springwood, with the scale and timing of the consultation being referred to the Finance and Assets Working Party.*
4. *That the preparation of a social and community analysis of Springwood be referred to the Finance and Assets Working Party.*
5. *That the Council note, in light of recommendations 3) and 4) above and expenditure of funds to date, that additional funding and staff resources will need to be directed towards the project and this matter be referred to the Finance and Assets Working Party with a view to submitting a proposal to amend the 2006/07 and Draft 2007/08 Budget and Management Plan.*

6. The Council note, in light of recommendations 3) and 4) above, that the timetable of the Springwood Town Centre Project will be extended into 2008. However, that this Council also indicates its strong preference for being in a position to accept or refuse any expression of interest by the end of March 2008.
7. *That the preliminary, and any formal assessment, of the Springwood project under the Local Government Amendment (Public Private Partnerships) Act 2004 is prepared in accordance with the Regulation and Guidelines. (Minute 90: 24/4/2007)*

#### **7 August 2007: Item 11: Options Report**

This report provided an update on the implementation of the process set in place at the Council's ordinary meeting of 30 January 2007 regarding the use and development of Council owned and Crown land to assist in the revitalisation of the Springwood Town Centre. The report presented an "Options Report" proposed for public exhibition and comment. This provided different options to undertake the Expressions of Interest (Eol) process.

#### **The Council resolved:**

1. *That the Council adopts the Options Report being Enclosure 1 to this Report for the purpose of public exhibition.*
2. *That the Council endorse the public exhibition of the Options Report for six (6) weeks commencing Monday 13 August 2007 until Friday 21 September 2007, with submissions on the Options Report accepted until 9am on Monday 24 September 2007.*
3. That a summary sheet of the report be made available due to the extensive content of the Options Report.
4. That both a public forum and public information day be held.
5. *That the Council seek to develop a Memorandum of Understanding with the Department of Lands regarding their participation in the Springwood Town Centre Project.*
6. *That the Council delegate to the General Manager the authority to sign a Memorandum of Understanding with the Department of Lands regarding their participation in the Springwood Town Centre Project. (Minute 210: 7/8/2009)*

#### **12 October 2007: Item 1: Springwood Town Centre Options Report**

This report presented to the Council the results and analysis of submissions made on the public exhibition of the "Springwood Town Centre Options Report" (Options Report).

#### **The Council resolved:**

1. *That the Council accept and note the submissions received.*
2. *That the Council receive a report presenting the documentation and process to be followed for the Call for Expressions of Interest (Eol) on three specific Council owned or managed sites within Springwood Town Centre being the Northern Car Park, the Southern Car Park and the Civic Centre Sites. That opportunities and suggestions outlined in the Options Report are amended in the Eol documentation as detailed in this report.*
3. *That where practical the criteria used for assessment of the Eol recognise the issues raised by the public submissions including, but not limited to:*
  - a. *Relevant previous experience;*
  - b. *Financial capacity;*
  - c. *Conformance with LEP 2005;*
  - d. *Net community benefit of the Initial Proposal;*
  - e. *Attention to triple bottom line outcomes.*

4. *That consideration be given in the preparation of the 4 year Management Plan 2008-2012 for resources to undertake a review of strategic plans relating to Springwood Town Centre Master Plan; Springwood Town Centre Parking; and for the preparation of a city wide parking strategy.*
5. *That expressions of interest be called for members of the community to take part in an Advisory Committee for Springwood concurrent with the Expression of Interest process. This committee would be comprised of eight members and be selected to be as representative as possible of interested community members and groups such as the Springwood Chamber of Commerce. This Advisory Committee meet on a monthly basis or as required at the time and place that the Committee shall decide. The Advisory Committee be chaired by the Mayor or nominee and that the first meeting discuss a "terms of reference" and guidelines for meeting procedure.*
6. *That the Council will, if there is adequate available facilities on the nominated date, conduct the Council Meeting that considers the Eol within Springwood. (Minute 289, 12/11/2007)*

### **30 October 2007: Item 7: Call for Expressions of Interest**

The purpose of this report was to present for approval by the Council the process and documentation to proceed to advertisement of a Call for Expressions of Interest in the redevelopment of one or more of three sites in Springwood Town Centre.

#### **The Council resolved:**

1. *That the Council proceed to invite Expressions of Interest (EOI) on the Civic Centre Site, the Northern Car Park and the Southern Car Park following the process outlined in this report.*
2. *That a Social and Cultural Assessment be completed by March 2008 to provide information for the development of detailed proposals by those Proponents selected to proceed to Stage 2 of the procurement process. (Minute 304: 30/10/2008)*

### **19 February 2008: Response to Question Without Notice:**

This report was prepared in response to a Council resolution made at the meeting of 29 January 2008 on the motion of Councillors McInnes and O'Grady

#### **(S1. F00088 Springwood Town Centre Project):**

*That the Council receive a brief report at the next Council meeting on:*

1. *The proposed community consultation process in relation to the Springwood Town Centre Project;*
2. *The type of information that will be able to be released to the public from the Expression of Interest process by the Tender Evaluation Team;*
3. *The option of reviewing the process to date and planning a revised process to occur should no proposals be found to be acceptable; and*
4. *Where a Springwood Town Centre item appears on the Ordinary Council Meeting schedule that those meetings be held in Springwood.*

#### **The Council resolved:**

1. *That the Council notes the report and that a detailed report on the evaluation of the Expressions of Interest and options for community consultation and next stages of the*

*process will be provided in a confidential report proposed to be presented to the March 11 Council Meeting. (Minute 408: 19/02/2008)*

**11 March 2008: Confidential Business Paper – Springwood Town Centre Project Assessment of Expressions of Interest.**

A report was provided recommending that the Council consider the report on the EOIs in confidential session.

**The Council resolved:**

1. *That Item C1 in the Business Paper be deferred for consideration until all other business of this meeting has been concluded.*
2. *That the Council close part of the Council Meeting for consideration of Item C1 in the Business Paper for Springwood Town Centre Assessment of Expressions of Interest, pursuant to the provisions of Section 10A(2)(c), and (d) of the Local Government Act 1993, as the report contains, and discussion is likely to involve:*
  - a. *information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting, or proposes to conduct, business; and*
  - b. *commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. (Minute 430: 11/03/2008)*

**11 March 2008: Item C1: Confidential Item: Springwood Town Centre Project Assessment of Expressions of Interest**

This was a confidential report was presented to the Council which outlined the EOIs received, provided an analysis of the EOIs and provided a summary of the Report from the Tender Evaluation Committee.

**The Council resolved:**

1. *That the Council receives the report on the results of the tender evaluation of the Springwood Town Centre Project Expressions of Interest and records that it is encouraged by the scope and potential of the Expressions of Interest received.*
2. *That a report be presented to the Council which provides a program plan for proceeding with the Springwood Town Centre Project. This report is to contain options and recommendations for the engagement of required consultants and community consultation. This will include consultation with interested local residents and businesses, and relevant government and non- government and community organisations, in the development of detailed requirements for the Town Centre and the community and civic facilities and services.*
3. *That Coles Group, Woolworths Limited and Jamieson Property Group Pty Ltd proceed to stage two, and be invited to submit detailed proposals for further evaluation at a time yet to be determined.*
4. *That the proposals of A. Calkos Pty Ltd and Silverton Group Pty Ltd and Broad Holdings Group Pty Ltd do not proceed further to stage two on the basis of the stage one evaluation.*
5. *That this report and associated documents remain confidential as per the relevant provisions of section 10A of the Local Government Act 1993 and the original Call for Expressions of Interest, noting that, subject to the consent of the short listed proponents, aspects of the proposals will be made public as part of the proposed community consultation process.*
6. *That the Council seek advice from the Department of Local Government whether the project or any aspects of the project fall within the scope of the NSW Government Public Private Partnership Legislation and Guidelines.*
7. *All major Councillor briefings on Springwood Town Centre be held in Springwood. (Minute 441:11/03/2008)*

**1 Apr 2008: Item 7: Confidential Item - Response to Question Without Notice: Springwood Town Centre Project Assessment of Expressions of Interest**

This report was provided in response to a question without notice and outlined the specific legal requirements in relation to maintaining confidentiality on the evaluation results of each Respondent. This item was withdrawn from consideration.

**15 July 2008: Item 12 Springwood Town Centre Project Program Plan**

This report proposed a Program Plan for the next stage of the Springwood Town Centre Project.

**The Council resolved:**

1. *That the Council endorse the preferred Program Plan as outlined in this report for proceeding with the Springwood Town Centre Project.*
2. *That a report be presented to the Council with the results of the broad consultation by mid 2009.*
3. *That information is communicated to the public through a variety of media on the status of the Springwood Town Centre Project and the program plan.*
4. *That in principle the term of the Springwood Town Centre Advisory Committee is to be for the duration of the adopted program plan noting that the Committee and its membership will be considered for reappointment by the new Council. (Minute 561: 15/7/2008)*

**11 November 2008: NOTICE OF RESCISSION 1: Springwood Town Centre Project Assessment of Expressions of Interest**

A rescission motion was presented on the Council resolution on Springwood Town Centre project of 11 March 2008. An amended motion was presented to the meeting and this subsequently became the motion.

**The Council resolved:**

1. That this matter be deferred pending:
  - a) A full briefing, in addition to the 20 minutes allocated at the upcoming Knowledge Management Workshop, for Councillors on the implications of amending the Springwood Town Centre Project;
  - b) Attendance by all Councillors at the compulsory Department of Local Governments Councillor Induction Program; and
  - c) Disclosure of all Councillor Electoral Returns.
2. That this matter be reported back to the Council after the completion of the above matters. (Minute No. 726, 11/11/2008)

**17 February 2009: Mayoral Minute 3. Springwood Town Centre Project**

This Mayoral Minute sought to provide Council with current information on the proponents' position relative to the Springwood Town Centre Project, and to provide options for public consultation around the issues in Springwood Town Centre.

**The Council resolved:**

1. *That given the global financial and economic difficulties being faced by many companies, Council write to each shortlisted proponent who has lodged an expression of interest for the Springwood Town Centre Project, seeking to know as a matter of priority if they intend to remain in the process and deliver the standard and type of development previously indicated.*
2. *That the proponents' responses and any implications for the process arising from those responses be reported back to Council within 90 days.*
3. *That, if all the proponents indicate an intention to continue in the process, a public consultation on the Springwood Town Centre Project will take place and this process will*

include a 'poll'/referendum of community opinion in Faulconbridge, Springwood, Hawkesbury Heights, Sun Valley, Winmalee, Yellow Rock, Hawkesbury Heights, Sun Valley and Warrimoo.

4. That the process of public consultation on the Springwood Town Centre Project also include options for obtaining input on the issues referred to in 3, above, from residents outside of those Townships, possibly through the BMCC website.
5. That a report to the Council on the exact process and approach for implementing the strategies in 3 and 4 above, be provided after Councillor input.
6. That no further action be taken on the Springwood Town Centre project until the above matters have been actioned. (Minute No. 35, 17/2/2009)

**14 April 2009: Item 20. Response To Question With Notice - Costs to Date of the Springwood Town Centre Project**

This provided information on the costs accrued to Springwood Town Centre Project to date.

**The Council resolved:**

*That the Council receives and notes the content of this report. (Minute No. 136: 14/4/2009)*

**5 May 2009: Item 9. Springwood Town Centre Project: Response from Proponents**

This report presented the responses from the three proponents stating that they all wished to remain to remain in the process and deliver the standard and type of development previously indicated.

**The Council resolved:**

*That Council note and receive the content of this report. (Minute No. 156:5/5/2009)*

**15 December 2009: Item 14: Springwood Town Centre**

This report provided a program for the Springwood Town Centre Project with specific recommendations around staged consultation and reporting.

**The Council resolved:**

1. *That the Council immediately places the consultant report "Springwood Cultural and Community Facilities and Services - Needs Assessment" on the Council website and printed copies in Council offices for community viewing as part of the consultative process;*
2. *That the priorities identified in the "Springwood Cultural and Community facilities and Services - Needs Assessment report" are further researched and expanded on to provide evidence that will enable informed community comment as input into the decision making processes of the Council for improved community and cultural facilities that could potentially be delivered by the Springwood Town Centre Project;*
3. *That a report on the requirements for provision of community and cultural facilities and proposed further consultation is brought to the Council in February 2010 and that this report also details the options available to Council on the timing of the community poll;*
4. *That the Council proceeds to provide information and to consult with the community on the requirements and the options for the provision of improved community and cultural facilities in Springwood Town Centre and that the results of this are reported to the Council in April 2010;*
5. *That the "Vision for Springwood" endorsed by Councillors McLaren, Myles, Greenhill, Creed, Hamilton and Searle be made available to the public on the Council website; and*

6. *That the reports detailing the results of community consultation on priorities for community facility improvements and the preparation of documentation for the Request for Detailed Proposals (RDP) Stage 1 be presented to a Special Council Meeting to be held in Springwood on Tuesday 4 May 2010. (Minute No.572:15/10/2009)*

**2 February 2010: Amended Program for Springwood Town Centre Project**

This report sought to amend the timetable for consultation and reporting.

**The Council resolved:**

1. *That the Council notes the two options for an amended program for delivery of the Springwood Town Centre Project outlined in Item 23 of the Business Paper;*
2. *That Council adopts the amended program attached below:*

**Springwood Town Centre Project –Amended Program 2010 / 2011:**

	<b>Matters for consideration</b>	<b>Method of consultation / delivery</b>	<b>Time frame</b>	<b>Report to the Council</b>
1.	Provision of information on the needs for community and cultural facilities in Springwood and release of consultant report	Consultant Report from October 2009 placed on the Council website and in libraries, followed by other information as it becomes available	January and ongoing	
2.	Report amended program to the Council and seek amended time lines for current Council resolution	EMT considers program Email to Councillors in January	January	Report 2 February
3.	Documentation of requirements for community and cultural facilities and other requirements for the development of each site (including feasibility and costs).	Consultant engaged to prepare report  Stakeholder and Councillor input sought	Late January to mid March	Councillor Briefing 23 March
4.	Information provided to community on delivery options and proposed outcomes for community and cultural facilities and broad commercial/ retail options;.	Information provided via direct letter to all ratepayers in Ward 3 and surrounding areas	April/ May	

	<b>Matters for consideration</b>	<b>Method of consultation / delivery</b>	<b>Time frame</b>	<b>Report to the Council</b>
5.	Report on results of community consultation on priorities for community and cultural facility improvements to inform way forward	Following on from 3 above. Likely to include phone survey of a representative sample not less than 100 residents of Ward 3, complemented by a paper based survey available from at least the Springwood Library and the Springwood Neighbourhood Centre, online survey and use of the Bang the Table forum.	April/ May	
6.	Council debate on timing for consulting with the community by way of poll and the nature/ scope of poll	Following from 3 above, consultant advice prepared on options for polling both before and after commencement of Stage 2 of the tender process.		Report in May

3. *That Council proceeds to provide information to and consults with the community on the requirements and the options for the provision of improved community and cultural facilities in Springwood Town Centre; and*
4. *That options for the community poll (including an option for a poll prior to Stage 2, and an option post-Stage 2) be presented to a Council meeting to be held in Springwood in May 2010. (Minute No. 29, 02/02/2010)*

**6 April 2010: Program for Community Consultation on options for Upgrade of Springwood Community and Cultural Facilities**

This report sought to amend the program for consultation and reporting.

**The Council resolved:**

1. *That the program for the Springwood Town Centre Project adopted by the Council (Resolution 2 of Minute No. 29 2/2/2010) is amended as follows:*
  1. *Item 4, column 2: Information is provided by direct letter to all households in Ward 3 and surrounding areas being Faulconbridge, Springwood, Hawkesbury Heights, Sun Valley, Winmalee, Yellow Rock, and Warrimoo; and*
  2. *Item 6, column 4. That a report is provided to the Council in June. (Minute No. 129, 6/4/2010)*

**22 June 2010: Special Meeting of Council on Springwood Project**

3 reports were presented to this meeting.

**Results of consultation on options for upgrade of Springwood Community and Cultural Facilities, and options to proceed**

This report provided a summary of the results of the community consultation.

**The Council resolved:**

*That the Council notes the results of the community consultation undertaken on the proposals put forward by the Council for upgrading (whether by new or refurbished) community and*

cultural facilities, as outlined in Part A of this report and enclosures to this report. (Minute No. 269, 22/06/2010)

#### **Results of consultation on options for upgrade of Springwood**

##### **The Council resolved:**

*That the Council adopts one of the following options:*

- b. Option 2: post stage 2 of tender poll and*
- i. That the results of the community consultation inform the preparation of Tender documentation for Request for Detailed proposals;*
- ii. That the tender documentation fully articulates the poll process, such that the proponents have a clear understanding of the ultimate decision making process in respect of this matter;*
- iii. That the tender documentation specifies that Council owned land will only be available to proponents on a leased basis and that the land may be subject to rezoning provisions; and*
- iv. That the tender documentation clearly specifies that any costs incurred by a proponent in preparing a response for Council are borne by the proponent and that Council will not be held liable for any costs should a subsequent poll rule out progressing with the offering of any proponent. (Minute No. 270, 22/6/2010)*

#### **Results of consultation on options for upgrade of Springwood**

##### **The Council resolved:**

- 1. That this Council receives a further report regarding methods of conducting the poll and that this report includes information on:*
  - a. Attendance Voting (as conducted by the Electoral Commission);*
  - b. Declaration Postal Voting of all registered on the Electoral Roll;*
  - c. Internet voting of all registered on the electoral roll;*
  - d. Phone poll of all registered on the electoral roll;*
  - e. Opinion poll of 1,000 residents by phone;*
  - f. and this report include costings of all options; and*
- 2. That the report on this matter be brought to a Council Meeting in Springwood. (Minute No. 271, 22/6/2010)*

#### **21 August 2010: Grant For Springwood Town Centre Of \$9.5m**

##### **The Council resolved:**

*That Council approaches the likely new Member for Macquarie, Ms Louise Markus, seeking bipartisan support for the \$9.5m commitment made by the Government in relation to the Springwood Town Centre on 14 August 2010. (Minute No. 381, 21/8/2010)*

#### **21 September 2010: Update on Springwood Town Centre Project**

##### **The Council resolved:**

- 1. That the Council defer the preparation of tender documentation for the Springwood Town Centre project until it has received confirmation of the details of the Federal Governments funding and has considered and determined its approach to the project as a consequence of the funding;*
- 2. That the Mayor and General Manager seek an urgent meeting with the relevant Minister, once known, to determine the conditions and parameters associated with the funding and to enlist support for a speedy delivery of the grant offer; and*

3. *That a workshop be convened for Councillors to consider the ramifications, if any, for the approach to the Springwood Project following the funding announcement with a view to a further report coming back to Council once the funding details and timing have been confirmed. (Minute No.413, 21/9/2010)*

**12 October 2010: Update on Springwood Town Centre Project****The Council resolved:**

*That Council approach the Hon Kristina Keneally MP Premier of NSW, the Hon Tony Kelly MP Minister for Planning, Minister for Infrastructure and the Hon Barry O'Farrell, Leader of the Opposition requesting consideration of further funding for the Springwood Town Centre Project. (Minute No. 447, 12/10/2010)*

**2 November, 2010: Springwood Town Centre****The Council resolved:**

*That the Council:*

1. *Endorses the content of this report;*
2. *Receives a report from the General Manager as soon as possible providing the option(s) for discontinuing the present process for the Request for Detailed Proposals from the three proponents, discontinuing the process for assessing those proposals and, as a consequence, also discontinuing the community poll; and*
3. *Other, than the above, continues with the Springwood Town Centre process.(Minute No. 481, 2/11/2010)*