



# R E P O R T

## North Western Victoria Regional Adoption of the Infrastructure Design Consultation and Engagement Summary

### Prepared For

North West Victorian Group of Councils

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# 1. Introduction

The following report provides a summary of the consultation and engagement initiatives undertaken in relation to the implementation of a standardised Infrastructure Design Manual (IDM) for the North Western Region of Victoria. The report is structured to provide the background and objectives of this work, a summary of feedback received, and implications for further consideration. This report should be used by Councils to inform the adoption and further development of the IDM.

The consultation has involved the following Councils in the Region:

Mildura Rural City Council	Buloke Shire Council
Loddon Shire Council	Swan Hill Rural City Council
Yarriambiack Shire Council	Hindmarsh Shire Council
West Wimmera Shire Council	North Grampians Shire Council

## Background

The Infrastructure Design Manual was originally developed by the Shire of Campaspe, City of Greater Shepparton and the City of Greater Bendigo but has now been adopted by a number of other councils in regional Victoria. A longer term aim of the Victorian government is for a standardised Infrastructure Design Manual to be used across the State of Victoria under the guidance of a newly formed Interim Infrastructure Design Standards Board. The Board will have representation from member councils and interested stakeholder groups and is to provide a means of review and development of the manual to ensure ongoing usability and relevance.

The Infrastructure Design Manual is expected to provide greater clarity and consistency for consultants, developers and contractors who need to know more about the rules, regulations and standards for new infrastructure when developing land. The primary objectives of the manual include:

- To clearly document the requirements for the design and development of infrastructure
- To standardise development submissions as much as possible and thereby speed up development approvals, and
- To ensure that minimum design criteria are met with regards to design and construction of infrastructure.

One of the keys to the success of the manual is consultation with stakeholders and users. This report summarises the consultation undertaken and provides a summary of feedback received.

Consultation has been undertaken on the manual originally developed by the Shire of Campaspe, City of Greater Shepparton and the City of Greater Bendigo and adopted by other councils.

The manual provides a reference guide to the standards and requirements for infrastructure in regional Victoria and will be used to provide consultants and developers with Council requirements in respect of planning and infrastructure needs in development. Further opportunities for consultation and engagement will be offered following adoption by Council.

## Consultation Objectives

- To outline the background and content of the draft Infrastructure Design Manual (IDM) to be implemented.
- To identify other related projects and issues.
- To outline opportunities for review and contribute feedback on the manual.

## 2. Stakeholder Engagement

### Stakeholder Engagement Opportunities

A number of stakeholder engagement opportunities have been offered to date:

Consultation sessions were held with each of the Council's internal stakeholders to commence the project.

- |                                 |                            |
|---------------------------------|----------------------------|
| • Mildura Rural City Council    | 20 <sup>th</sup> June 2011 |
| • Hindmarsh Shire Council       | 22nd June 2011             |
| • Yarriambiack Shire Council    | 22nd June 2011             |
| • West Wimmera Shire Council    | 23rd June 2011             |
| • Loddon Shire Council          | 23rd June 2011             |
| • North Grampians Shire Council | 24th June 2011             |
| • Swan Hill Rural City Council  | 24th June 2011             |
| • Buloke Shire Council          | 24th June 2011             |

Each session provided an opportunity for Council officers to provide the consultant team with up front information regarding the expectations and requirements for each municipality.

The North West Region Councils were more reserved than other regions in their approach to contacting external stakeholders and preferred to be consulted internally in order to form an opinion on the IDM before advertising externally. As a result the Region only wanted the key representative bodies of the external stakeholders contacted regarding the potential move to a regional Infrastructure Design Manual. A list of stakeholders peak bodies contacted regarding the regional approach to the Infrastructure Design Manual is provided in **Appendix 1**.

The letter sent to stakeholders is provided in **Appendix 2**. The letter directed stakeholders to the IDM Manual and identified opportunities for comment.

All attendees at each session were advised that the IDM and standard drawings are available on-line at:

<http://www.designmanual.com.au>.

All stakeholders, including individual Councils are able to download and review the material from this web page as well as make submissions on the content of the IDM for consideration by the review panel via the web page.

## 3. Council Feedback

### Feedback from Councils – June 2011

Following Consultation meetings held with each of the Councils, verbal and written feedback was sought on the concept of an IDM for the North West Region. The following is a summary of feedback received:

- Will it allow items specific to Mildura's geography & topography?
- If we require changes will the IDM reflect these and when?
- What are the costs associated with being a member to the IDM?
- What is the process when the IDM won't change to reflect our requirements.
- We have very little new infrastructure, can a section of the IDM be dedicated to a renewal focus. For example list of road hierarchies under the Road Management Act and the renewal requirements for each.
- With a number of Councils being very small with only a renewal focus can a reduced fee structure be implemented? We still want to be involved but only undertake renewal works.
- Have other Councils had issues in getting Council approval?
- We have some issues with the current set of planning permit conditions.
- Why is the use of Section 173's so common in the recommended planning permit conditions. Do we have to implement the use of Section 173's if we adopt the IDM?
- We have been advised that we cannot make many changes to the current document.
- Yes, there are common issues that can be addressed across the region which can be addressed through a standardised approach.
- What is the progress of other Shires within the region?
- Timing for the adoption of the manual, how soon does the manual get up dated to represent our shires requirements so that when council approve the adoption of the manual our requirements are listed.
- Local Government has a significant role to play in the ongoing control of the IDM, with representation by member Councils.
- There will be a need to maintain and update the manual for our region.

## 4. Council Consultation

### Written submissions

Councils attendees at each session were encouraged to provide feedback to assist in the ongoing improvement and adoption of the IDM for the North West Region. Written feedback was sought by the 29th July 2011 to enable the consideration of key issues and the adoption of the manual by late 2011. Each Council was also advised that they will need to make their own selections throughout the document on what option they would like applied in their Council.

### Implications for Consideration

Based on the feedback received, the following implications should be considered by Council's:

- There is general support for the principle of standardization in the region as well as the sharing of costs in the documents upkeep.
- Further stakeholder interest in the project is likely to arise once the IDM has been adopted and is being used by Council's in the North West.
- Whilst the manual has been updated on numerous occasions by Council's in Victoria's North & Gippsland regions, an audit of the manual will be required to identify and address North West Councils specific requirements that may be required ie renewal focus.
- There will be a period of transition when the Manual is introduced and being used within each Council. A training program in the use of the manual following its introduction is currently being finalised. Training courses will be targeted at different user groups – Councils, Service Authorities, Consultants, and Developers where common issues are shared.
- There will be a need to ensure the involvement of key stakeholders, including Local Government, peak bodies, and key industry groups in the development and ongoing maintenance of the IDM standards.
- Further input from users of the manual will be important in revising standards which are appropriate for other regions as they are adapted to accommodate the North West Regions different characteristics.
- Following adoption by the Councils in the North West, a series of implementation issues are required to be resolved, including a proposed method of ensuring consistency between new and existing standards and processes and potentially a focus on renewal within the document.

### Proposed consultative process from here

- Consideration of stakeholder feedback by Council - Mid 2011.
- Council Adoption – Mid to late 2011.
- Further Communication with stakeholders & utilisation of the IDM – Mid to Late 2011.
- Ongoing development and improvement of the IDM - 2011 onwards.
- Planning Scheme Amendment – Mid to Late 2011 (following adoption by Councils) and as part of the next review of the Planning Scheme.

# Appendix 1

## Stakeholder List

ALDE  
Department of Human Services  
IPWEA  
CCF  
Parks Victoria  
Vic Roads

Karen  
Janice  
Anne  
John

Leoncelli  
Brooks  
Gibbs  
Stewart

## Stakeholder follow up letter

Dear Sir/Madam,

### **Infrastructure Design Manual Feedback requested**

The Councils in the North West of Victoria comprising of Buloke Shire, Hindmarsh Shire, Horsham Rural City, Northern Grampians Shire, Loddon Shire, Mildura Rural City, West Wimmera Shire, Yarriambiack Shire and Swan Hill Rural City are undertaking consultation with the community prior to adopting and further developing a standardised Infrastructure Design Manual.

The manual has now been adopted, or is being evaluated by 19 other regional Victorian Councils following its development by the Campaspe Shire Council, Greater Shepparton City Council and Greater Bendigo City Council. The manual is now being considered as the basis for identifying regional standards for infrastructure design across the North Western & Central Regions of the State.

The manual is a reference guide to the standards and requirements for infrastructure in regional Victoria and will be used to provide consultants, developers and other stakeholders with council requirements in respect of planning and infrastructure needs in development.

Following the launch of the manual through the North West Region of the State, we now invite stakeholders to review the manual and provide us with your feedback. Details are as follows:

- The manual is available online at **[www.designmanual.com.au](http://www.designmanual.com.au)**,
- Written responses to the manual will be considered up until **29<sup>th</sup> July 2011**,
- All responses should be forwarded to C/- Geoff Kinnish, Simon Anderson Consultants P/L, P.O. Box 566 Sale Vic 3850 or by email to **[geoff@simonandersonconsultants.com.au](mailto:geoff@simonandersonconsultants.com.au)**.

On compilation and review of the responses received, the governance group for the document will provide feedback, as necessary, to update stakeholders via the webpage.

The manual will be presented to each council for consideration & adoption.

Should you have any queries regarding the Infrastructure Design Manual please feel free to give me a call on **03 51446688 or mobile 0417 145763**.

Yours faithfully

**GEOFF KINNISH**  
**Director Simon Anderson Consultants P/L**



## Appendix 2 – Submissions

Each Member Council are going to discuss internally and prepare their own submissions directly to the Governance Group with some highlighted areas for further work such as renewal activities.



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Mr Geoff Kinnish  
Director  
Simon Anderson Consultants Pty Ltd  
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Dear Geoff

I refer to your recent letter concerning the Infrastructure Design Manual (IDM) and request for feedback. Please find attached a formal response.

It is also understood that the 'Infrastructure Design Standards' Committee established by the DPCD, chaired by Ian Robins, is also continuing its work in reviewing the project. The committee is a stakeholder group and has agreed to continue its work on the IDM and a series of meetings and workshops continue to be planned.

Please note the CCF's formal response, but also note that CCF will continue to be involved and strive to achieve a common standard across local government. We have a firm view that the continuation of not having a common set of standards is detrimental to the Victorian Community, adds considerable cost to the procurement process and diminishes local government's capability to complete stocks on time and on budget.

We note that currently Victorian local municipalities are not completing some 20% of its capital works programs and, in some areas, only 60% of the programs are actually completed.

A common set of documentation would certainly enable improvements to this as well as reduction in actual costs.

Thank you for keeping me informed of the progress of the IDM.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Claude Cullino'.

CLAUDE CULLINO  
CHIEF EXECUTIVE OFFICER

OFFICES IN New South Wales, Victoria, Queensland, South Australia, Western Australia, Tasmania, Northern Territory, Australian Capital Territory.  
K:\CCF Mail\B\ State\holders\B\B State Government\5.0.1.43 Department of Planning and Community Development\Infrastructure Design Manual letter 26 July 2011.docx

*Constructing Australia's Infrastructure*



## **Infrastructure Design Manual**

### **IDM Governance Group**

### **SUBMISSION**

**July 2011**

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**DOCUMENT CONTROL SHEET**

Civil Contractors Federation PO Box 6165, HAWTHORN VIC 3122  Telephone: (03) 9819 5170 Fax: (03) 5950 1254 Mobile: 0419 560 749 Email: <a href="mailto:ccullino@civilcontractors.com">ccullino@civilcontractors.com</a> <a href="http://www.civilcontractors.com">www.civilcontractors.com</a>	Document:	Submission on the Infrastructure Design Manual V3, September 2010
	Title:	IDM Infrastructure Design Manual
	Project Manager:	Claude Cullino Chief Executive Officer CCF Victoria
	Author:	Terry Alford
	Synopsis:	Comments by CCF membership on the IDM.

**CONSULTANTS DISTRIBUTION SCHEDULE**

Version No.	Date	Distribution	Reference

NB: The above is to be removed prior to formal adoption by Client. Retain only the Schedule of Adoption & Revision.

**SCHEDULE OF ADOPTION & REVISION**

Version No.	Date	Comment	File Reference

NB: This version is distributed for comment only and shall not be used for any other purpose without the express consent of the Chief Executive Officer, CCF Victorian Division.

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## EXECUTIVE SUMMARY

The Civil Contractors Federation (CCF) represents those companies responsible for the delivery of Victoria's infrastructure such as roads, bridges, subdivisions, water supply, sewerage, drainage, gas and telecommunication facilities. The CCF has 540 Contractor members and CCF represents some 45% Of Contractors in Victoria. Members work across a number of Sectors, State Government, Local Government and the private Sector. The membership participation in the private land development area represents an average of 34% of Contractor workloads either directly as principal contractors or subcontractors.

The CCF supports the Infrastructure Development Manual (IDM) as a means of bringing about standardisation within the civil construction industry involved in developing subdivisions outside of metropolitan Melbourne. Despite this the CCF would like to see some strengthening and encouragement to standardise the General Conditions of Contract and that unmodified standards such as AS4000 and AS4003 be applicable in all cases. If modified, then these General Conditions amendments be required to be identified in supplementary clauses and easily identified within the Specification or Contract Arrangements submitted for approval. We would also argue that the documentation and General Conditions should reflect the municipality's own processes and practices.

The Manual is obviously a "work in Progress" and will need to be updated regularly based on experience, evolving technology, good practice and increased application across the State, both in terms of asset creation and long term maintenance and asset management.

On the broader scene, the CCF believes that the following matters need to be addressed and strongly recommend and urge that all technical matters be robustly referenced with the language and terms used throughout the IDM document, terms such as:

- the applicant takes full responsibility to ensure compliance with the above in the undertaking of the infrastructure works;
- that designs are required to follow and be reviewed proof engineering;
- that pre-qualified and competent contractors are appointed;
- that specific or special requirements pertaining to the site are considered and included in the documentation submitted for approval.

These are by no means exhaustive, but suggest that there needs to be Developer responsibility to follow good practice and adhere to National, State and local standards.

We also would like to see that reference is made to best practice payment and that the Developer follows the "payment Guarantee Legislation".

Whilst we have not commented specifically on the increasing trend that "Termination for Convenience" Clauses are being introduced into contracts, we suggest that these clauses need to be eradicated as they simply provide an out to complete works and unnecessarily increase the risk to Contractors and the ultimate price of an allotment.

The CCF is committed to tackling the skills shortage in the industry and is embarking on a pilot to trial its Training Allowance Policy in Contracts and specifically the trial is for Water Sensitive Urban Design hence this alone should expose some major improvements that can be incorporated into the IDM in due course as the lessons from the pilot are identified.

The CCF submits that as a means of obtaining a firm commitment from all key stakeholders, i.e. developers, consultants, contractors and the councils it is essential that a Memorandum of Understanding (MOU) between the UDIA, ALDI, CCF and the participating Councils be signed as the background to implementation of the IDM, initially in the member councils, but ultimately across the State.

# 1 GROWTH AREAS AUTHORITY SUBMISSIONS

The CCF has 540 Contractor members and the CCF represents some 45% Of Contractors in Victoria. Members work across a number of Sectors, State Government, Local Government and the private Sector. The membership participation in the private land development area represents an average of 34% of Contractor workloads either directly as principal contractors or subcontractors. As a consequence the CCF has a vital interest in any aspect that will improve the delivery of fully serviced land for housing and industry.

The CCF has been actively involved in reviewing the *Engineering Design and Construction Manual for Subdivision in the Growth Areas* prepared by the Growth Areas Authority (GAA). A detailed submission was made to the GAA in August 2010. A copy of the Executive Summary to this submission is attached as Attachment A.

A further submission on the *Model Planning Permit Conditions* was submitted in May 2011. A copy of the Executive Summary to this submission is attached as Attachment B.

# 2 BACKGROUND TO MANUAL

This Infrastructure Design Manual was originally prepared by the Cities of Greater Bendigo and Greater Shepparton and the Shire of Campaspe. The joint initiative was one which recognised the benefits of municipalities working together towards consistent requirements and standards for the design and development of infrastructure.

The Manual is designed to be used within the boundaries of all the municipalities that have adopted it. The primary objectives of the Infrastructure Design Manual (IDM) are:

- to clearly document Council's requirements for the design and development of infrastructure that is or will become municipal infrastructure;
- to standardise development submissions as much as possible and thus to expedite Council's engineering approvals; and
- to ensure that minimum design criteria are met in regard to the design and construction of infrastructure within the municipalities regardless of whether it is constructed by Council or a developer.

The member Councils are inviting stakeholders, including the Civil Contractors Federation (CCF), to submit comments on the ID M by Friday, 29<sup>th</sup> July 2011. (The invitation to comment has been reproduced in Attachment C)

In reviewing the Manual at this time the CCF has concentrated on reviewing those sections where they have a direct interest which is mainly Construction of infrastructure.

To date the IDM has been adopted by fourteen Councils as detailed in Attachment D.

# 3 OVERVIEW OF THE IDM

The IDM essentially consists of the following major elements:

- (i) Introduction
- (ii) Definitions
- (iii) Subdivisions and Planning Permit Applications
- (iv) Outline Development Plans
- (v) Design Requirements
- (vi) Documentation
- (vii) Construction Phase
- (viii) Defects Liability Period for Developers
- (ix) Traffic Management Strategy
- (x) Road Safety Audits
- (xi) Drainage Strategy Plans
- (xii) Design of Roads
- (xiii) Mobility and Access Provisions
- (xiv) Car Parking
- (xv) Earthworks and Lot Filling
- (xvi) Urban Drainage
- (xvii) Rural Drainage
- (xviii) Retardation in Large Subdivisions and Major Developments
- (xix) Small Detention Systems
- (xx) Stormwater Treatment
- (xxi) Stormwater Discharge Points
- (xxii) Environment Management During Construction
- (xxiii) Whole Farm Plans
- (xxiv) Landscaping and Road Furniture
- (xxv) Associated Infrastructure
- (xxvi) Public Lighting

Not all of the above areas are of major concern to contractors as they relate to the planning permit process itself. However, as builders of the horizontal assets contained within developments, contractors have a close interest in those particular requirements, that relate to or impact on, the construction of the infrastructure.

The CCF has commented on the version available from the IDM website as at 1 July 2011 – Version 3.0 adopted, issue date September 2010.

## **4 PARTICULAR MATTERS SELECTED FOR COMMENT**

As a result of an initial overview of the Infrastructure Development Manual (IDM) the following issues have been identified that require comment on behalf of the CCF.

### ***4.1 General Comment***

For some time the CCF have supported the establishment of Standard General Conditions of Contract, Specifications and Drawings. Whilst in the past we had the view that they were incomplete we acknowledge the value and that the IDM would be part of a continuous improvement process and hence endorse it most emphatically.

One of our primary concerns are that any standard documents may be modified by an individual council or authority to the point where the practice of delivering infrastructure is compromised and



only adds unnecessarily to the cost of the infrastructure that the community eventually pays for. This occurs regularly in the larger size contracts and makes it very difficult to tender competitively.

## **4.2 Best Practice Construction**

The CCF have developed guides which compliment the IDM. The CCF strongly suggests that these be incorporated or referenced throughout the IDM.

These documents include:

1. The "Best Practice Guide for Tendering and Contract Management"  
<http://www.civilcontractors.com/victoria/ccfvictoria/advocacy/>;
2. The "CCF Environmental Guidelines for Civil Construction:  
<http://www.civilcontractors.com/victoria/environment/>; and
3. The "Draft Clean fill site Guidelines" [This is under development with the EPA and is currently going through the Consultation process].

To ensure that contractors have the necessary systems and experience to respond to the permit conditions the CCF recommends that only "pre-qualified" contractors undertake subdivisional works. Those certified under the CCF Integrated Management System would be automatically pre-qualified.

## **4.3 Definitions**

The IDM has limited definitions. Whilst the technical definitions are consistent with those used by the GAA, those relating to "roles" are different. The IDM refers to a Construction Engineer but makes no reference to the other parties such as the Developer, Council Supervisor, Contractor and Consulting Engineer. The roles of each of these is sometimes confusing and it is generally the Contractor that gets caught up in these matters. A good example of confusing roles relates to projects over \$250,000 and OH&S requirements.

The H&S Regulations 2007 requires in any construction contract of value over \$250,000.00, which would reasonably be any single stage of a subdivision, to have an OH&S Consultation Plan prepared and more significantly monitored by the Principal Contractor. The Principal Contractor is defined as the Developer or owner, or a person delegated by the owner to fulfil that role. The Plan must address all the stakeholders in the project and establish a hierarchy of consultation. Currently very few Developers accept this responsibility and it is in the interest of all stakeholders to highlight this early in the town planning permit process. The Developer cannot pass on the responsibility only the preparation and monitoring.

## **4.4 Application of Manual**

The CCF is concerned at the longevity and application of the Manual, particularly as the number of rural and regional councils increasingly adopt the IDM as their standard. All documents will need monitoring and be subject to revision and change, particularly where differences result from the regional location of the member councils. The authority or organisation charged with this responsibility must have the resources and will to undertake the task. The CCF also believes that the stakeholders UDIA, ALDE, CCF, LGV and the member Councils, State Govt and any other major player needs to be part of a formal agreement, Memorandum of Understanding (MOU) or other document to ensure that they fulfil their roles and responsibilities covered by IDM.

In addition to the *Engineering Design and Construction Manual for Subdivision in the Growth Areas* the GAA have produced a *Model Planning Permit Conditions* Manual. It is noted that the IDM has a list of Model Conditions. These should be reviewed with the GAA Conditions to provide some consistency across the State.

## **4.5 Quality Assurance**

Quality Assurance (QA) is mentioned throughout the documents but is not very well explained at all with references only made to the QA specifications. It is important to understand QA if it is introduced to control quality in subdivisional works. Its introduction will be limited unless the councils involved are all accredited to ISO 9001 and approach QA in a competent and professional manner. At this stage most contractors and consultants are accredited to the standards mentioned and given the time and opportunity will manage the different contract processes. Currently QA is utilised for the Water and Sewer utilities only. Roadworks and other infrastructure associated with the subdivision are constructed under two layers of supervision, namely the Consulting Engineer and the supervisor from the Council. The CCF looks forward to clarifying this matter and participating in any discussion regarding changing the current arrangement which has always been criticised and resulted in duplication in many cases.

The IDM at section 7.2 requires that before the development starts, a Construction Management Plan, must be submitted to and approved by the responsible authority. This is essentially the Project Integrated Management Plan required under the CCF IMS which includes elements for Quality, Environmental Management and Safety. By using pre-qualified contractors that have the necessary systems and experience to respond to all permit conditions, problems with compliance will be minimised. Those contractors certified under the CCF Integrated Management System would be automatically pre-qualified. Consequently a condition requiring pre-qualified contractors should be inserted.

This is in line with the requirements of VicRoads and overcomes problems later where work is undertaken on adjoining VicRoads roads. The CCF has systems that cater for both smaller and larger contractors. Refer also to section 4.2 above.

## **4.6 Design for Reticulated Services-Related Infrastructure**

The Developer is required to enter "Agreements" with the relevant authorities for the provision of water supply, drainage facilities, electricity, gas, telecommunication services and fibre optic conduits to each lot shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.

The major problem encountered by Contractors is the allocation of space for these services. The Designer must take into account the practicalities of construction and the difficulty of locating all the proposed services within the nature strips and verges. The IDM should indicate that best practice should be followed in the offsets and depths used, recognising that further joint investigation and negotiation is needed to upgrade the Street Works Code to suit the latest needs for more services than previously catered for. The lack of real current guidance on this matter makes construction more difficult and time consuming than it should be. In some cases maintenance may well be more expensive and difficult in the future.

All designs should be proof engineered to ensure that obvious mistakes are picked up prior to work commencing ensuring that design changes are kept to a minimum. Design plans must be subject to

a real design review before submission for approval by the Responsible Authority. Changes during construction add to time delays and increased costs.

Reference to the “Best Practice Guide for Tendering and Contract Management” should be referenced here along with the use of standard drawings.

## ***4.7 Construction Supervision for Developers***

Section 7.4 of the IDM sets out the requirements for supervision of the subdivision works. The CCF comments as follows on a number aspects:

- AS 2124 or AS4000 – The CCF supports the use of AS 4000 and AS 4300 as the appropriate General Conditions of Contract for subdivisional works over the dated AS 2124 version. In providing this support the CCF stresses that Special Conditions should be kept to a minimum to avoid tearing apart the integrity of the original documents.
- Reference is made to a “Memorandum of Understanding” (MOU) between the Developer and Council. There is no further reference to this document nor is a template provided setting out the topics to be covered eg roles and responsibilities of the various parties. The CCF recommends that a template be provided.
- Reference is made to Appendix E – List of Council Inspections. In the Appendix each inspection is considered a Hold Point or a Witness Point. If this is the case it should be a requirement that these are automatically built into the standard specifications. The CCF supports that the release of Hold Points should be subject to a joint inspection and this should be built into the MOU.

## ***4.8 Completion of Works and Defects***

A number of comments on this section are made:

- The IDM refers to the “Defects Liability Period” and the date of “Practical Completion” but no definition or reference is made for either term. Practical completion occurs under AS 4000 on the Superintendents (appointed by the Developer) determination which may or may not be consistent with Councils position.
- Section 8.4 requires the lodging of 5% of the civil works cost (excluding water & sewerage) by the Developer for the Defects Liability Period, normally 12 months. This will invariably be passed onto the Contractor as a retention. The major issue with this approach is that the titles will be cleared and building construction commenced. Damage to kerbs, footpaths, nature strips and the road surface itself commonly occurs during this period. This is not addressed at all in the IDM.
- The CCF supports bonding for uncompleted works however the form of bond “An unlimited bank guarantee” does not appear to be correct. The bank guarantee should be for a fixed amount for an unlimited period.
- Reference to the “Best Practice Guide for Tendering and Contract Management” should be referenced here.

## 5 SUMMARY

Overall the CCF believes that the adoption by regional and rural Councils of the IDM are a step in the right direction and supports its implementation across the State as progress towards achieving standardisation within the civil construction industry.

The matters raised in this submission are by no means exhaustive, but suggest that there needs to be:

- Developer responsibility to follow good practice and adhere to National and local standards.
- Consistent approach to design in conformity with the IDM and Best Practice.
- Contractor commitment to deliver the specified works and infrastructure.
- Council commitment to take a fair and equitable approach to risk sharing.
- All parties to be open and honest with each other and to work in a spirit of cooperation.

We also would like to see that reference is made to best practice payment and that the Developer follows the “payment Guarantee Legislation”.

Whilst we have not commented specifically on the increasing trend that “Termination for Convenience” Clauses are being introduced into contracts, we suggest that these clauses need to be eradicated as they simply provide an out to complete works and unnecessarily increase the risk to Contractors and the ultimate price of an allotment.

The CCF is embarking on a pilot to trial its Training Allowance Policy in Contracts and specifically the trial is for Water Sensitive Urban Design. The CCF believes that this trial will quickly show the benefits of reduced construction costs and times. As this Trial will identify some major improvements these should be incorporated in the model conditions as soon as they are proven.

The CCF supports full and open consultation on all matters covered by the IDM. To achieve the benefits from all stakeholders working together the requirements of the IDM must be translated into a Memorandum of Understanding (MOU) that will commit all parties to compliance. The industry associations that represent the individual stakeholders should be engaged to develop and adopt the proposed MOU.

## 6 CONCLUSION

The CCF requests that all the matters detailed in our submission be included in the IDM to ensure they are considered as part of the development process. By having them considered and mandated in the IDM it will give added authority to ensure they are followed. If the matters are not part of the IDM there is no other control to ensure they are followed and hence any benefits will be lost.

By working together towards “Beyond Excellence” all stakeholders will gain and the community will not be required to pay for some of the current inefficiencies that currently lead to higher costs for housing. Those matters we have raised will, in our opinion, help improve the efficient delivery of serviced land for the public.

The CCF thanks the Governance Group for the opportunity to comment on the IDM.

As the representative organisation of the civil construction industry we look forward to working with the Governance Group and member Councils to further refine the IDM in our overall quest to achieve standardisation within the industry.

Should any matter detailed in this submission require clarification please contact the undersigned.

Claude Cullino  
Chief Executive Officer  
Civil Contractors Federation  
192B Burwood Road  
Hawthorn, Victoria. 3122

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## **Attachment A – Executive Summary CCF Submission November 2010.**

The Civil Contractors Federation (CCF) represents those companies responsible for the delivery of Victoria's infrastructure such as roads, bridges, subdivisions, water, sewerage, drainage, gas and telecommunication facilities. The CCF has approximately 540 members, with at least 34% , of its membership directly involved in the land development industry either directly as principal contractors or subcontractors.

Whilst the CCF has been involved in the Engineering Standards Project Group it welcomes this opportunity to comment on the draft Engineering Design and Construction Manual for Subdivision in the Groth Areas (Manual).

The Manual is obviously a "work in Progress" and contains a number of formatting, referencing errors. Whilst we have taken the opportunity to provide detailed comment, this comment should not be taken as all inclusive, but rather a list of matters which the CCF believes should be addressed.

On the broader scene, the CCF believes that the following matters need to be addressed:

- (1) The Manual, as currently drafted, lacks continuity in form and consistency of terms;
- (2) Processes are not always clear and the inclusion of Process Maps, setting out who does what at each stage of the development, would assist in making the document more comprehensible, particularly for contractors operational and field staff.
- (3) The role and application of Quality Assurance, including the elements of OH&S and Environmental Management is not always clear, particularly the quality approach of the individual councils.
- (4) The Standard Form of Construction Agreement is missing one of the key players in the process, that of the Consulting Engineer appointed by the Developer.
- (5) Ownership of the Manual and the responsibility for updating.

As a means of obtaining a firm commitment from all key stakeholders, ie developers, consultants, contractors and the councils it is essential that a Memorandum of Understanding (MOU) between the UDIA, ALDI, CCF and the participating Councils be signed as the background to implementation of the Manual, initially in the Growth Areas, but ultimately across the State.

## **Attachment B – Executive Summary CCF Submission May 2011.**

The Civil Contractors Federation (CCF) represents those companies responsible for the delivery of Victoria's infrastructure such as roads, bridges, subdivisions, water supply, sewerage, drainage, gas and telecommunication facilities. The CCF has 540 Contractor members and CCF represents some 45% Of Contractors in Victoria. Members work across a number of Sectors, State Government, Local Government and the private Sector. The membership participation in the private land development area represents an average of 34% of Contractor workloads either directly as principal contractors or subcontractors.

Whilst the CCF has been involved in the Engineering Standards Project Group it welcomes this opportunity to comment on the Draft Model Planning Conditions attached to the Growth Areas (Manual).

CCF would like to see some strengthening and encouragement to standardise the General Conditions of Contract and that unmodified standards such as AS4000 and AS4003 as applicable be conditioned. If modified, then these General Conditions amendments be required to be identified in supplementary clauses and easily identified within the Specification or Contract Arrangements submitted for approval. We would also argue that the documentation and General Conditions should reflect the municipality's own processes and practices.

The Manual is obviously a "work in Progress" and will need to be updated regularly based on experience, evolving technology and good practice, both in terms of asset creation and long term maintenance and asset management.

On the broader scene, the CCF believes that the following matters need to be addressed and strongly recommend and urge that all technical matters be robustly referenced with the language and terms used throughout the Model document, terms such as:

- the applicant takes full responsibility to ensure compliance with the above in the undertaking of the infrastructure works;
- that designs are required to follow and be reviewed proof engineering;
- that pre-qualified and competent contractors are appointed;
- that specific or special requirements pertaining to the site are considered and included in the documentation submitted for approval.

These are by no means exhaustive, but suggest that there needs to be Developer responsibility to follow good practice and adhere to National and local standards.

We also would like to see that reference is made to best practice payment and that the Developer follows the "payment Guarantee Legislation".

Whilst we have not commented specifically on the increasing trend that "Termination for Convenience" Clauses are being introduced into contracts, we suggest that these clauses need to be eradicated as they simply provide an out to complete works and unnecessarily increase the risk to Contractors and the ultimate price of an allotment.

The CCF is committed to tackling the skills shortage in the industry and is embarking on a pilot to trial its Training Allowance Policy in Contracts and specifically the trial is for Water Sensitive Urban Design hence this alone should expose some major improvements that can be incorporated into the model

conditions, hence a comment concerning the lessons from this pilot could be used in the planning process and conditions as the lessons from the pilot are identified.

Whilst raised in our original submission we again submit that as a means of obtaining a firm commitment from all key stakeholders, i.e. developers, consultants, contractors and the councils it is essential that a Memorandum of Understanding (MOU) between the UDIA, ALDI, CCF and the participating Councils be signed as the background to implementation of the Manual and these Model Planning Conditions, initially in the Growth Areas, but ultimately across the State.



## Attachment C – Invitation to Comment

**SIMON ANDERSON**  
**C O N S U L T A N T S**  
ABN 40 145 437 085 (Sale) Pty Ltd  
**Structural, Civil & Project Engineers**  
Ph: 51448588 Fax: 51446855  
Office: 191-193 Raymond Street, Sale Vic 3850  
PO Box 566, Sale Vic 3850  
[www.simonandersonconsultants.com.au](http://www.simonandersonconsultants.com.au)

Dear John,

### **Infrastructure Design Manual Feedback requested**

The Councils in the North West of Victoria comprising of Buloke Shire, Hindmarsh Shire, Horsham Rural City, Northern Grampians Shire, Loddon Shire, Mildura Rural City, West Wimmera Shire, Yarriambiack Shire and Swan Hill Rural City are undertaking consultation with the community prior to adopting and further developing a standardised Infrastructure Design Manual.

The manual has now been adopted, or is being evaluated by 19 other regional Victorian Councils following its development by the Campaspe Shire Council, Greater Shepparton City Council and Greater Bendigo City Council. The manual is now being considered as the basis for identifying regional standards for infrastructure design across the North Western & Central Regions of the State.

The manual is a reference guide to the standards and requirements for infrastructure in regional Victoria and will be used to provide consultants, developers and other stakeholders with council requirements in respect of planning and infrastructure needs in development.

Following the launch of the manual through the North West Region of the State, we now invite stakeholders to review the manual and provide us with your feedback. Details are as follows:

- The manual is available online at [www.designmanual.com.au](http://www.designmanual.com.au),
- Written responses to the manual will be considered up until 29th July 2011,
- All responses should be forwarded to C/- Geoff Kinnish, Simon Anderson Consultants P/L, P.O. Box 566, Sale Vic 3850 or by email to [geoff@simonandersonconsultants.com.au](mailto:geoff@simonandersonconsultants.com.au).

On compilation and review of the responses received, the governance group for the document will provide feedback, as necessary, to update stakeholders via the webpage.

The manual will be presented to each council for consideration and adoption.

Should you have any queries regarding the Infrastructure Design Manual please feel free to give me a call on 03 51446688 or mobile 0417 145763.

Yours faithfully,

**GEOFF KINNISH**  
**Director Simon Anderson Consultants P/L**

## Attachment D – Councils that have Adopted the Infrastructure Design Manual

Council	Date of Adoption
Greater Shepparton City Council	2 August 2007
Greater Bendigo City Council	31 October 2007
Campaspe Shire Council	14 August 2007
Moirra Shire Council	TBA
Greater Geelong City Council	18 October 2007
Gannawarra Shire Council	TBA
Rural City of Wangaratta	29 October 2007
Mansfield Shire Council	27 March 2008
Strathbogie Shire Council	December 2009
Murrindindi Shire Council	28 October 2008
South Gippsland Shire Council	17 March 2010
Benalla Rural City Council	TBA
Wellington Shire Council	18 May 2010
East Gippsland Shire Council	TBA
<b>At Consultation Phase</b>	
Buloke Shire Council	Under consultation
Hindmarsh Shire Council	Under consultation
Horsham Rural City Council	Under consultation
Northern Grampians Shire Council	Under consultation
Loddon Shire Council	Under consultation
Mildura Rural City Council	Under consultation
West Wimmera Shire Council	Under consultation
Yarriambiack Shire Council	Under consultation
Swan Hill Rural City Council	Under consultation