

4.1 CALOOLA RESERVE – CONSTRUCTION OF 8 SYNTHETIC TENNIS COURTS (AA: File No. CF2018055)

Ward: Oakleigh

Responsible Directors: Ossie Martinz & Julie Salomon

RECOMMENDATION

That Council:

- 1. Accepts the revised lump sum tender price of \$1,439,075 (GST Inclusive) submitted by Turf One Pty Ltd, to undertake the construction of the 8 synthetic tennis courts at Caloola Reserve, Atkinson Street, Oakleigh.*
- 2. Approves a project contingency of \$140,000 (GST Excl.) for any latent conditions, project management fees and for any potential variations.*
- 3. Notes the overall estimated project cost of \$1,668,250 (GST Excl.) inclusive of Lump Sum tender price, Project Contingency, Design and Temporary Club Facilities Hire.*
- 4. Notes the estimated cost of \$37,675(GST Incl.) pa for maintenance services of the new synthetic surface for a period of 3 years (total cost \$113,295) and that this be referred to the Operational Budget for funding.*
- 5. Authorises The Chief Executive Officer to execute the contract documentation only after approval of the Cultural Heritage Management Plan is received.*
- 6. Notes that there will be further consultation with adjoining residents regarding the removal of trees and parking impacts.*
- 7. Notes that a Heads of Agreement between Council and the Oakleigh and North Oakleigh Tennis Clubs has been signed and executed on 20 October 2017 in which the clubs agree to surrender their current lease arrangements for their respective tennis clubs and merge to become one tennis club prior to occupying the new tennis facility.*

INTRODUCTION

The purpose of this report is to inform Council on the tender submissions received and the evaluation process associated with the construction of the 8 synthetic tennis courts at Caloola Reserve in Atkinson Street, Oakleigh.

BACKGROUND

Council considered a report on the “Community Consultation Outcomes – Proposed Tennis Courts at Caloola Reserve Oakleigh” and resolved at the 29 August 2017 meeting:

“That Council:

- 1. Authorise officers to proceed to tender for the installation of eight (8) synthetic grass tennis courts with LED sports lighting at Caloola Reserve Oakleigh to be initially funded from the 2017/18 Oakleigh Recreation Centre Redevelopment budget;*

2. *Notes that the proposal will involve the demolition of the existing pavilion at Caloola Reserve and provision of temporary buildings for use by the three sporting clubs until a new pavilion is constructed;*
3. *Authorises officers to commence the design process for stage 2 developments at Caloola Reserve including the new pavilion, car-park and hot shot courts with the view to potentially start construct in the 2018/19 financial year;*
4. *Authorises officers to enter into a heads of agreement with Oakleigh Tennis Club and North Oakleigh Tennis Club for future usage agreements for the shared use of the new facility at Caloola Reserve which will include a condition that when the preferred days and hours of use of the new facility have been agreed with the tennis clubs, there must be in place an appropriate public booking system for the use of tennis courts by the general public;*
5. *Receives a further report advising of the tender outcomes for construction of the new tennis courts at Caloola Reserve;*
6. *Commences the statutory process to sell the land at 14-16 Atkinson Street, Chadstone (Title Volume 5465 Folio 1092880, Volume 4995 Folio 998905 Volume 6331 Folio 1266163 Volume 7508, Folio 033) and appoints a Committee of Council comprising Mount Waverley Ward Councillors to consider submissions received under Section 223 of the Local Government Act at a time and date to be fixed if no submissions are received, Council authorises the Chief Executive Officer or her delegate on behalf of Council to sign and seal all documentation required to effect a sale of the land; and*
7. *Directs officers to speak with the Department of Environment, Land, Water and Planning to determine the best option to achieve a rezoning of the land and then report to Council on the preferred option and seek a resolution of Council to commence the rezoning process and in turn authorise the Chief Executive Officer or her delegate, on behalf of Council, to undertake the necessary processes to rezone the parcel of land at 14-16 Atkinson St, Chadstone to its underlying zone (General Residential Zone 2)."*

This report responds to items 1, 2, 4 and 5 of Council's resolution.

Council, along with State and Federal Government, has made a commitment to a significant capital works investment in the redevelopment of Oakleigh Recreation Centre (ORC). As the design process for this project progressed it became clear that the most suitable option for the redevelopment would be to include the removal of the adjacent tennis courts, currently home to the Oakleigh Tennis Club. This option provides greater functionality and avoids the narrowing and stripping of vegetation along the linear park link to Brickmakers Park and also avoids the removal of significant mature trees at the rear of ORC.

North Oakleigh Tennis Club was also approached with a view that Council could consolidate the two clubs into the new 8 court facility proposed at Caloola Reserve. Following discussions the North Oakleigh Tennis Club agreed to the proposal to co-locate to Caloola Reserve with Oakleigh Tennis Club. This would make their existing site at 14-16 Atkinson St, Chadstone vacant with no identified need to retain the site for tennis usage.

Tennis Victoria fully supports the concept of the two clubs securing their future at Caloola Reserve and has actively assisted Council's development plans for Oakleigh Recreation Centre.

Council officers have now negotiated an agreement for the two clubs to move to the new facility at Caloola Reserve. Both clubs have made a commitment to the project by signing a Heads of Agreement incorporating assurances and future usage arrangements to relocate to the new eight (8) court facility to be built at Caloola Reserve. The in-principle approval to the terms detailed in the Heads of Agreement subsequently allows Council to proceed with the construction of the new tennis facility.

Originally the possibility of incorporating netball courts at the Caloola Reserve site was explored but site limitations made this added option difficult to achieve. As a result netball and other multiuse options were removed from the design process.

The works associated with this contract involve the construction of eight (8) new synthetic tennis courts along the southern boundary of the reserve with new LED lighting and includes the demolition of the old pavilion (Stage 1).

Once the construction of these new facilities has been completed the existing tennis courts adjacent to the Oakleigh Recreation Centre (ORC) would be demolished to allow for the ORC redevelopment and extension to commence in mid 2018.

Whilst the relocation of the two tennis clubs to Caloola Reserve was intended to provide flexibility and a superior outcome to the redevelopment at ORC, the project has significant merit in its own right. It provides a new purpose built facility, replacing older and more tired facilities that are in need of maintenance and repair. The consolidation of the two clubs on the site, also aims to ensure their continued viability and future growth.

The residual land from the Oakleigh Tennis Club would allow Council to consider other options for the site in the future, whilst in the short to medium term providing additional onsite car parking.

The future sale of the Atkinson Street site currently occupied by the North Oakleigh Tennis club would cover the cost of the new tennis facility at Caloola Reserve as well as offset some of the cost of the new pavilion to be constructed on the site.

The engagement of an Architect for the pavilion design at Caloola Reserve is being fast tracked to ensure that the new multi-sport pavilion, car park and potential hot shot and half basketball court works can be progressed in the coming years at Caloola Reserve as part of (Stage 2). There is a report under City Development in this agenda that proposes to discontinue a Government Road that exists on the reserve which would allow the land that the road occupies to be vested in Council as Committee of Management so as to facilitate the future construction of the pavilion.

Other elements of the proposed reserve upgrade plan, (Stage 3) potentially include items such as a circular walking track, cricket net upgrade, new reserve furniture, fitness stations, sports lighting upgrade, etc., however these may take longer to deliver. Both Stage 2 and Stage 3 developments are contingent on funding as part of Council's future capital works program.

The clubs requested that the eight courts be constructed in stage 1 of the project and that stage 2 which includes the construction of a new pavilion be undertaken as soon as possible. The pavilion upgrade is scheduled for construction in 2019/20. The tennis clubs would co-locate with the existing users of the reserve in a new shared use multi-sport pavilion.

Construction of eight courts would mean that the current brick pavilion needs to be demolished to provide the required footprint for the new courts. It is proposed to house the clubs in temporary buildings until a new pavilion is designed and constructed.

It is considered that this will create the best outcome for the site and for the clubs, and also means that the temporary pavilion can be located away from where the new pavilion is proposed to be constructed. The clubs will be housed in the temporary facilities until the new pavilion construction has been completed. The existing pavilion is in poor condition and the relevant clubs have confirmed that appropriate temporary facilities would be satisfactory for their requirements for a short term period.

A plan showing the location and layout of the new courts at Caloola Reserve is detailed in Figure 1: Layout Plan.

Figure 1: Layout Plan



The stage 1 works include:

- Tree removals/earthworks & pavilion demolition;
- Concrete base with synthetic grass surface;
- Drainage & Civil works;
- LED low height pole to minimise light spill to nearby residents;
- Fencing;
- Concrete path along the north side of the courts with seating & shelters;
- Landscape upgrades and planting to be carried out by Council; and
- Specified maintenance period.

The total number of courts in the immediate area would be reduced from ten (10) en-tout-cas courts to eight (8) synthetic grass courts and from three pavilions to a single shared multi-purpose pavilion which will result in reduced asset maintenance and renewal costs. Both tennis clubs have reviewed their current usage requirements and have confirmed that these will be adequately accommodated on eight new courts. The design of the new eight (8) court facility has been separated into two (2) four (4) court enclosures which will allow some limited flexible, multi-use space.

Officers have advised the clubs that Council aims to future-proof new facility developments for the benefit of the community. Whilst it is acknowledged that the club will have full access and control over the courts through a lease arrangement, there is an expectation that if the clubs cannot fully utilise the courts, the new courts at Caloola Reserve will have the capability to be booked for use by the broader community including other usage if there is no demand for tennis.

The site is located in an area of cultural heritage sensitivity as it lies within 200m of Scotchmans Creek. A Cultural Heritage Management Plan has been prepared and is currently being reviewed by the Department of Premier & Cabinet. It is anticipated that this process will be completed by mid-December and it is recommended that this contract is not executed until approval of the plan is received.

Figure 2: Site Overview - 14-16 Atkinson Street, Chadstone***HUMAN RIGHTS CONSIDERATIONS***

The consultation process has addressed the substantive right of the community to have a fair hearing.

POLICY IMPLICATIONS

The recommendations in this report are aligned with Council's direction to foster confident and connected communities by maximising the use of Council's local facilities for a diverse range of programs, activities and opportunities for training and games for local soccer clubs, as well as recreational, school groups and other users.

DISCUSSION

Tenders for the works were advertised in "The Age" newspaper with twenty eight (28) sets of documents downloaded by companies interested in or with the intention of lodging a tender submission.

Four (4) tender submissions were received by the appointed closing time of 2.00pm Thursday, 2 November 2017.

The submissions received ranged in price from \$1,296,625 to \$1,723,693.84 (GST Inclusive) for Stage 1 Court works only.

Tender submissions were received from the following companies:

- Contek Pty Ltd
- A.S. Lodge Pty Ltd
- A1 Tennis Sports Pty Ltd
- Turf One Pty Ltd

The tender evaluation panel made up of the following officers/consultants confirmed the selection criteria in accordance with the tender documentation and Council procurement policy:

- Manager Strategic Procurement – City of Monash
- Manager Capital Works – City of Monash
- Strategic Leisure Planner – City of Monash
- 2MH Consulting - Specialist Consultant (non-scoring)

The submissions were subjected to a basic compliance check and all tenders were assessed as conforming against Council's tender requirements.

Tender pricing was requested with additional options to provide Council the opportunity and flexibility to include the options within the project scope if funding was available. These options include a three year regular and in-depth court surface maintenance service and various other additional elements.

Reference checks were conducted on the preferred contractor and were found to be satisfactory.

A financial check was also conducted on the preferred contractor and they are considered a low risk to Council.

The preferred contractor has completed construction of similar synthetic tennis courts successfully for other Councils and Government Departments and to a high standard.

SOCIAL IMPLICATIONS

The consultation regarding this proposal has provided significant opportunities for community participation. This consultation process has provided valuable input into the proposed and future works at Caloola Reserve. The consultation has value added to the final design and to the future development proposals improving local amenity, recreational outcomes, noise considerations, lighting and pedestrian accessibility to Caloola Reserve.

FINANCIAL IMPLICATIONS

Eight (8) courts are required for the two clubs to agree to move to Caloola Reserve and to accommodate their usage requirements.

To construct eight courts the pavilion needs to be demolished and temporary accommodation provided for all clubs until the new multi-use pavilion is constructed.

This report recommends that stage 1 include the demolition of the existing pavilion, construction of eight (8) new tennis courts and the hire of temporary buildings for the clubs as it provides the best outcomes for all of the sporting clubs. This would enable tennis to commence using the site at full capacity and satisfy the soccer and cricket clubs desire to improve the pavilion facilities. As previously mentioned both clubs that currently use the reserve are supportive of this option and would ensure a more seamless redevelopment of the site in three discrete stages.

It is proposed that this project and the design of a new pavilion are to be funded initially from the Oakleigh Recreation Centre Redevelopment Capital Works budget and then offset through the proceeds of the sale of land at 14-16 Atkinson Street, Chadstone should the sale process proceed.

The 2017/18 Capital Works program has made provision for a budget of \$3.757M for the ORC project (\$21.6M total project budget) including the construction of the tennis courts at Caloola Reserve to enable the relocation of the Oakleigh Tennis club from the ORC site.

The tender panel concurs that the tender submission from Turf One Pty Ltd offers Council best value. The following details Provisional Items priced in the tender and recommended for inclusion in the works:

Item	Description	Total (GST Incl.)
1	Regular(weekly) maintenance service (operational)	\$34,320pa
2	In-depth(3 monthly) maintenance service (operational)	\$3,355pa
3	Supply & installation of shelters, seats, drinking fountains, bicycle racks & bins	\$108,350
4	Supply & installation of Kelmatt Windscreen fencing material	\$12,100

The total anticipated project cost based on Turf One Pty Ltd tender is estimated to be:

Original Tender Amount (GST inclusive)	\$1,318,625
Provisional Items 3 & 4 listed above (GST inclusive)	\$120,450
Amended Tender Amount (GST inclusive)	\$1,439,075
GST Amount	\$130,825
Amended Tender Amount (GST exclusive)	\$1,308,250
Contingency Sum incl. of Project Management Fees	\$140,000
Design Fees	\$100,000
Temporary Club Facilities Hire (to be separately procured)	\$120,000
Expected Project Cost (GST exclusive)	\$1,668,250

The project was originally estimated at \$1.62M and the expected project cost is \$48,250 above this estimate. Although slightly over the estimated project cost the outcome includes all elements agreed through the discussions with the Tennis Clubs. It is proposed that the shortfall in funding be managed within the overall 2017/18 Capital Works Program.

Prices were also obtained through the tender process for a weekly regular maintenance service and for a 3 monthly In – Depth maintenance service to ensure that the surface is maintained to a level that does not void the manufacturer’s warranty requirements.

The service is recommended to be delivered across a 3 year period to ensure that the surface is handed over to the club in excellent condition for ongoing maintenance at the end of the period stipulated in the Heads of Agreement with Council. The cost of this item is significant however, it will ensure Council meets its obligations at the time of handover of the tennis courts to the club for ongoing maintenance.

The maintenance work is operational in nature and it is recommended that this be negotiated with the successful contractor to deliver the essential maintenance services for 3 years following construction of the courts. The estimated cost of this work based on the tender submissions is \$37,675 (GST Incl.) pa.

CONCLUSION

That Council:

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