



9.1 NORTH PORT OVAL UPGRADE AND FUNDING AGREEMENT

EXECUTIVE MEMBER: FIONA BLAIR, GENERAL MANAGER, INFRASTRUCTURE AND AMENITY

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ANTHONY TRAILL, MANAGER OPEN SPACE AND RECREATION

1. PURPOSE

- 1.1 To provide Council with an update on the upcoming redevelopment of North Port Oval.
- 1.2 To seek Council approval to enter into a Deed of Agreement between City of Port Phillip and AFL Victoria for the upgrade of North Port Oval.
- 1.3 To seek Council approval to delegate authority to the Chief Executive Officer to agree to terms and conditions of the Deed of Agreement.
- 1.4 To seek Council approval to temporarily increase the Chief Executive Officer's financial delegation to \$1.915M in order to execute the proposed Deed of Agreement on behalf of City of Port Phillip.

2. EXECUTIVE SUMMARY

- 2.1 North Port Oval (NPO) is a dedicated facility for Australian Rules football and turf cricket.
- 2.2 The Port Melbourne Cricket Club (PMCC) and Port Melbourne Football Club (PMFC) have co-existed at the oval since the 1800's. It is used for community level cricket in the Cricket Southern Bayside competition, and elite football in the Victorian Football League competition.
- 2.3 The oval has design deficiencies which impact its ability to drain properly. In recent football seasons, the oval has failed to drain on multiple occasions which has rendered it unsafe for players and resulted in AFL Victoria cancelling or moving games. Each occurrence has led to significant financial impacts and reputational damage to both the PMFC and Council.
- 2.4 An upgrade to the ground and its surface is required to ensure it is capable of sustaining the level of use now and into the future, is safe for players of both sports, and is resilient to climatic change. The upgrade will also make the venue more inviting for broader community use as a public space.
- 2.5 Council has budgeted to undertake an oval upgrade in 2018/19.
- 2.6 To deliver this project, it is proposed that Council enter a Deed of Agreement with AFL Victoria to project manage the design and delivery of the ground upgrade



works between 1 October 2018 and the commencement of the 2019 football season.

- 2.7 AFL Victoria has significant expertise in ground upgrades of this type. By taking this approach to delivery, Council can achieve a much needed ground upgrade at least one season ahead of its original plan, and mitigate against further seasons where poor turf quality and inadequate drainage causes problems for both cricket and football. Some savings in ground maintenance and monitoring costs may also be achieved.

3. RECOMMENDATION

That Council:

- 3.1 Enters into a Deed of Agreement with AFL Victoria to project manage the upgrade of North Port Oval for a cost to Council of up to \$1.915M, excluding costs associated with offsite disposal of contaminated soil.
- 3.2 Notes that if excess soil is contaminated requiring offsite disposal an additional cost of \$215,000 to \$815,000 (depending on the soil contamination clarification) will be required in addition to the quoted \$1.915M and funded by bringing forward funds from the 2020/21 allocation to Northport Oval upgrade.
- 3.3 Authorises the Chief Executive Officer to finalise the terms and conditions of the Deed of Agreement.
- 3.4 Authorises a temporary increase in the Chief Executive Officer's financial delegation to \$1.915M for the purposes of executing the Deed of Agreement on behalf of City of port Phillip, for the upgrade of North Port Oval.
- 3.5 Notes Northport Oval is identified as a key community public space to cater for the new population of Sandridge region within Fishermans Bend Urban Renewal Area (FBURA) and these works will support grounds ability to be available for public access during the day, when not in use by the sport tenants.

4. KEY POINTS/ISSUES

4.1 History and Context

- 4.1.1 North Port Oval is managed by Council as Committee of Management under the Crown Land (Reserves) Act 1978.
- 4.1.2 The formal name for the reserve is Port Melbourne Cricket Ground, and it is zoned Public Park Recreation Zone (PPRZ). The land is subject to a Heritage Overlay.
- 4.1.3 The reserve has been used for cricket and Australian Rules football since the late 1800s.



- 4.1.4 The Port Melbourne Cricket Club (PMCC) and Port Melbourne Football Club (PMFC) have co-tenanted the reserve since its inception. This continues today with the cricket club having access in summer for training and matches, and the football club having year-round access for training in summer, and training and matches in winter.
- 4.1.5 The PMCC plays in Cricket Southern Bayside's turf wicket competition. This competition is community based. The Club has 179 members, comprising 73 senior and 106 junior players. There are five senior teams. The Club also plays matches on Woodruff Oval within JL Murphy Reserve.
- 4.1.6 The PMFC plays in the Victorian Football League (VFL) which is the second-tier competition to the Australian Football League (AFL).
- 4.1.7 NPO reserve is the preferred venue for the VFL finals series and has hosted the series for over ten years. Over a six-day VFL finals series it is estimated that over fifty thousand people visit the municipality.
- 4.1.8 As the NPO is used for elite AFL competition the ground's condition is required to be maintained at an exceptional standard so that the surface is safe for players, and presents well for at-ground spectators and television viewers.
- 4.1.9 NPO is identified as a key community public space to cater for the new population of Sandridge region within Fishermans Bend Urban Renewal Area (FBURA). The ground is currently open for public access during the day, when not in use by the sport tenants.

4.2 **The need for upgrade**

- 4.2.1 The oval has a high maintenance regime and it has proven extremely challenging to maintain the surface in a fit for purpose state due to:
 - (a) Lack of appropriate drainage through the cricket pitch Merri Creek soil, which causes pooling water; a thatch layer of grass that doesn't allow the water to drain away, and differing levels across the playing surface; and
 - (b) The grass is a cool season species and requires a significant amount of water to stay alive in summer.
- 4.2.2 In recent seasons, the oval has failed to drain on multiple occasions which has resulted in AFL Victoria relocated games. This has led to significant financial impacts and reputational damage to both the PMFC and Council.
- 4.2.3 For several seasons, additional monitoring and maintenance works by Council's contractors have been undertaken to maintain a suitable and safe standard for competition football. This level of maintenance has in part kept the ground from further deterioration, but is unsustainable in the long term.



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- 4.2.4 An upgrade to the ground and its surface is urgently required to ensure it is capable of sustaining the level of use now and into the future, is safe for players of both sports, and is resilient to climatic change. The upgrade will also make the venue more inviting for broader community use as a public space.
- 4.2.5 The upgrade will complete action numbers two to six identified (below) in Council's 2016 review of all reports and investigations into the ground, which recommended:
1. Removal of the practice wickets (completed).
 2. Undertake an irrigation audit (completed - new irrigation system is required and is part of the upcoming redevelopment project).
 3. Detailed design or upgraded oval inclusive of management approach to manage onsite soil conditions or dispose of top layer (contaminated soil management is part of the upgrade project).
 4. Rebuild of playing surface and removal of thatching layer (will be completed as part of the upgrade project).
 5. Improved sub surface and perimeter drainage (will be completed as part of the upgrade project)
 6. Installation of new warm season grass surface 'Santa Ana Couch' (will be completed as part of the upgrade project).
- 4.2.6 The ground upgrade works will include the installation of six turf cricket pitches in the centre of the oval to accommodate community standard turf cricket.
- 4.2.7 There are currently seven wickets, however the Cricket Australia guidelines for turf facilities indicate that 5-6 cricket pitches are recommended for community cricket. A reduction in the number of cricket wickets to six reduces the area in the centre of the ground that is subject to intensive football use, whilst providing sufficient wickets for community-based competition throughout a cricket season. This is a compromise position between the PMFC and AFL's desire for only three wickets, and PMCC's desire to retain the current provision of seven wickets.
- 4.2.8 The Council Plan and Budget 2018/19 contains an allocation of \$1.95M to undertake the NPO upgrade works. Given the continued problems with the ground, and the tight timeframes required to execute a ground reconstruction between seasons, Officers propose a consolidated design and delivery program, project-managed by AFL Victoria.
- 4.2.9 The upgrade would include: new oval surface, adjustments to the entrance to the players' race, six turf wickets, new posts, interchange benches, new fencing, solid turfing of the entire ground, irrigation, project management and contingency.



- 4.2.10 It is proposed AFL Victoria would be responsible for delivering the scope in full and would be liable for any market or project risks, excluding the offsite disposal of contaminated soil. Council has quantified this risk and accepts with appropriate evidence of contamination classification being disposed to fund up to 400 cubic meters over and above the quoted price to deliver scope.
- 4.2.11 Subject to Council approval, it is proposed that Council enter a Deed of Agreement with AFL Victoria to project manage the design and delivery of the ground upgrade works between 1 October 2018 and the commencement of the 2019 football season.
- 4.2.12 AFL Victoria has significant expertise in ground upgrades of this type and with access to its preferred subcontractors, including Melbourne Stadiums Limited (MSL), is suitably qualified and experienced to deliver what will be a high level second tier playing surface. AFL Victoria has project-managed similar upgrades at Arden Street (North Melbourne FC) and Ikon Park (Carlton FC). In addition, MSL also oversees and maintains Etihad Stadium as a multipurpose stadium that hosts amongst many other uses, multiple AFL and Big Bash League cricket matches.
- 4.2.13 The timing of the ground reconstruction will mean that PMCC will be relocated to other grounds for the upcoming 2018/19 season, but will be able to return to NPO for the 2019/20 cricket season with significantly improved turf conditions.
- 4.2.14 A Planning Permit and Heritage Victoria Permit are required. These applications will be submitted subject to Council's decision.
- 4.2.15 By taking this approach to delivery, Council can achieve a much needed ground upgrade at least one season ahead of its original plan, and mitigate against further seasons where poor turf quality and inadequate drainage causes problems for both cricket and football. Some savings in ground maintenance and monitoring costs may also be achieved.
- 4.2.16 Officers have confidence that the proposed Agreement with AFL Victoria can deliver best value because of the AFL's industry knowledge, project management experience in delivering other second tier ground reconstructions, and its commitment to achieve the works within a very tight timeframe. The Quantity Survey of works that AFL Victoria has provided is consistent with the estimates Officers had obtained previously. AFL has also been cognisant of the needs of community cricket and proposes a design that will considerably improve the surface for PMCC for years to come.

5. CONSULTATION AND STAKEHOLDERS

- 5.1 The following groups have been consulted regarding the project:
- AFL Victoria;
 - Cricket Australia;



- Cricket Southern Bayside;
- Cricket Victoria;
- Victorian Sub-District Cricket Association;
- Port Melbourne Cricket Club;
- Port Melbourne Football Club;

- 5.2 All of the involved parties are supportive of the oval upgrade works to be undertaken and understand the need to expedite the project.
- 5.3 Feedback from the PMCC and cricket governing bodies has primarily related to the number of turf cricket wickets to be installed as part of the upgrade. The preference of the PMCC and regional governing bodies is for the current provision of seven wickets at NPO. Noting that the wicket 'table' contributes to poorer conditions in the wet winter period, the proposal of six wickets is a compromise position, consistent with Cricket Australia guidelines of five-six wickets for community cricket, and above the three that AFL Victoria has advocated.
- 5.4 Council will engage with the local properties surrounding NPO as part of the Planning and Heritage Permit application process.
- 5.5 A Communications Plan will inform local residents, club members and stakeholders about the project during the works.

6. LEGAL AND RISK IMPLICATIONS

- 6.1 Subject to Council's decision, a deed of Agreement would be entered into between City of Port Phillip and AFL Victoria. This deed is currently in draft form and will require the Chief Executive Officers of both organisations to agree to final terms and conditions, and execute the documents.
- 6.2 Assigning AFL as project managers of this upgrade project is seen as low risk, due to that organisation's experience, skills and access to suitably qualified industry contacts and sub-contractors that will undertake the works. It is in AFL Victoria's interests to deliver an upgrade that is capable of sustaining second tier football and cricket for the long term, and within the tight timeframe between seasons that is necessary to enable matches in the 2019 football season to commence on time.

7. FINANCIAL IMPACT

- 7.1 Council has budgeted \$1.95M in 2018/19 for the ground upgrade.
- 7.2 It is proposed to establish an Agreement with AFL Victoria to project manage the works, for a total of up to \$1.915M, excluding the potential offsite disposal of contaminated soil up to 400 cubic meters.
- 7.3 Council will be responsible for the costs relating to contaminated soil up to a maximum of 400 cubic meters being removed, which could cost between



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\$215,000 (Category C estimate) and \$815,000 (Category A estimate). This cost would be funded by bringing forward funds from the 2020/21 allocation to NPO upgrade.

8. ENVIRONMENTAL IMPACT

- 8.1 Environmental impacts relating to contaminated soil will be managed in accordance with EPA requirements and written into the scope and work and specifications between Council, the AFL and the AFL and its sub contractors.

9. COMMUNITY IMPACT

- 9.1 During the upgrade works, the oval and surrounds will not be accessible to the public.
- 9.2 During the upgrade works, the PMCC will be relocated to alternative venue/s for their 2018/19 season.
- 9.3 As a result of the works, the PMFC will be unable to have pre-season training or practice matches on the oval until the agreed completion date and handover at the end of works.

10. ALIGNMENT TO COUNCIL PLAN AND COUNCIL POLICY

- 10.1 The upgrade project proposed in this report is aligned with:

(a) Strategic Direction 1 – We embrace difference and people belong;

- Outcome A – Provide access to flexible, multi-purpose facilities that support participation in community life through sport, recreation and life-long learning.
- Priority statement – Plan and deliver a long-term program of sports field and pavilion upgrades to enhance capacity and broaden community participation in sport and recreation.

(b) Sports and Recreation Strategy 2015-24 – Focus area 2 – Places.

11. IMPLEMENTATION STRATEGY

11.1 TIMELINE

11.1.1 Subject to Council's decision, the following would occur:

- Finalisation of the Deed of Agreement, including specific terms and conditions – by 13 September.
- Obtain Planning approvals – by 20 September
- Agreement execution – by 27 September



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- Works commence 1 October 2018
- Works completed, including grass grow-in period, 1 April 2019 with handover of upgraded oval to Council.

11.2 COMMUNICATION

- 11.2.1 It is intended to advise local residents of the upgrade program through a mail out to properties surrounding NPO as part of the Planning Permit application in the first instance, followed by regular updates during the works.

12. OFFICER DIRECT OR INDIRECT INTEREST

- 12.1 No officers involved in the preparation of this report have any direct or indirect interest in the matter.

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ATTACHMENTS Nil