

MINUTES

Mid Month Meeting of Council

Held at the
Civic Centre
511 Burwood Highway
Wantirna South
On
Monday 9 December 2024

The Agenda for the Mid Month Meeting of Council, Monday 9 December 2024, forms part of these Minutes and is attached in full at the end of the Minutes.

These Minutes are considered draft until adopted and confirmed at the next Mid Month Meeting of Council.



The meeting commenced at 7:00pm.

PRESENT:

<i>Cr L Cooper (Chairperson)</i>	<i>Scott Ward</i>
<i>Cr P Kennett</i>	<i>Chandler Ward</i>
<i>Cr C Duncan</i>	<i>Collier Ward</i>
<i>Cr R Williams</i>	<i>Dinsdale Ward</i>
<i>Cr M Baker (via Zoom)</i>	<i>Dobson Ward</i>
<i>Cr P Lockwood</i>	<i>Baird Ward</i>
<i>Cr S Pearce</i>	<i>Taylor Ward</i>
<i>Cr G Atwell</i>	<i>Tirhatuan Ward</i>
<i>Mr B Dobson</i>	<i>Chief Executive Officer</i>
<i>Mr G Thorne</i>	<i>Director - Infrastructure</i>
<i>Mr M Kelleher (Via Zoom)</i>	<i>Director - City Liveability</i>
<i>Mr G Curcio</i>	<i>Director - Customer & Performance</i>
<i>Ms J Chalkley</i>	<i>Director - Connected Communities</i>
<i>Mr A Dowling</i>	<i>Manager - Governance & Risk</i>

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1 Apologies And Requests For Leaves Of Absence

An apology was received from Councillor Considine.

2 Declarations Of Conflict Of Interest

Nil.

3 Confirmation Of Minutes

The Chairperson, Councillor Lisa Cooper invited Councillors to raise any opposition to the Minutes of the Mid Month Meeting of Council held on Thursday 21 November 2024. There being none, the Chairperson declared the Minutes be confirmed.

4 Officer Reports

4.1 Contract 3398 - Tormore Reserve Construction

SUMMARY

This report considers and recommends the appointment of a contractor to construct the Tormore Reserve Pavilion redevelopment.

RECOMMENDATION

That Council resolve to:

1. Accept the tender submitted by Melbcon P/L for the lump sum price of \$4,987,116.00 excl. GST (\$5,485,827.60 incl. GST) for Contract 3398 – Tormore Reserve Pavilion Redevelopment Construction;
2. Allocates a contingency for this project as set out in the confidential Attachment 1, and authorise the Chief Executive Officer (or such person the Chief Executive Officer selects) to expend this contingency at their discretion;
3. Authorise the Chief Executive Officer (or such person the Chief Executive Officer selects) to execute contract documentation for Contract 3398 – Tormore Reserve Pavilion Redevelopment Construction to give effect to Council’s decision; and
4. Advise all tenderers accordingly.

RESOLUTION

MOVED: Councillor Lockwood

SECONDED: Councillor Duncan

That Council resolve to:

1. **Accept the tender submitted by Melbcon P/L for the lump sum price of \$4,987,116.00 excl. GST (\$5,485,827.60 incl. GST) for Contract 3398 – Tormore Reserve Pavilion Redevelopment Construction;**
2. **Allocates a contingency for this project as set out in the confidential Attachment 1, and authorise the Chief Executive Officer (or such person the Chief Executive Officer selects) to expend this contingency at their discretion;**
3. **Authorise the Chief Executive Officer (or such person the Chief Executive Officer selects) to execute contract documentation for Contract 3398 – Tormore Reserve Pavilion Redevelopment Construction to give effect to Council’s decision; and**
4. **Advise all tenderers accordingly.**

CARRIED

5 Notices Of Motion

Nil.

6 Supplementary Items

Nil.

7 Urgent Business

7.1 Urgent Business

Nil.

8 Confidential Items

Nil.

MEETING CLOSED AT 7:09pm

Minutes of Meeting confirmed at the
Mid Month Meeting of Council
held on Monday, 10 February 2024

.....
Chairperson

The Agenda for this meeting is attached in full at the end of the Minutes.

AGENDA

Mid Month Meeting of Council

To be held at the

Civic Centre

511 Burwood Highway

Wantirna South

On

Monday 9 December 2024 at 7:00 PM

This meeting will be conducted as a hybrid meeting



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Bruce Dobson
Chief Executive Officer

1 Apologies And Requests For Leaves Of Absence

2 Declarations Of Conflict Of Interest

3 Confirmation Of Minutes

Confirmation of Minutes of Mid Month Meeting of Council on 21 November 2024

4 Officer Reports

4.1 Contract 3398 - Tormore Reserve Construction

Final Report Destination:	Council
Paper Type:	For Decision
Author	Manager Major Projects & Facilities, Monica Micheli
Manager:	Manager Major Projects & Facilities, Monica Micheli
Executive:	Director, Infrastructure, Grant Thorne

SUMMARY

This report considers and recommends the appointment of a contractor to construct the Tormore Reserve Pavilion redevelopment.

RECOMMENDATION

That Council resolve to:

1. Accept the tender submitted by Melbcon P/L for the lump sum price of \$4,987,116.00 excl. GST (\$5,485,827.60 incl. GST) for Contract 3398 – Tormore Reserve Pavilion Redevelopment Construction;
2. Allocate a contingency for this project as set out in the confidential Attachment 1, and authorise the Chief Executive Officer (or such person the Chief Executive Officer selects) to expend this contingency at their discretion;
3. Authorise the Chief Executive Officer (or such person the Chief Executive Officer selects) to execute contract documentation for Contract 3398 – Tormore Reserve Pavilion Redevelopment Construction to give effect to Council’s decision; and
4. Advise all tenderers accordingly.

1. DISCUSSION

This contract is for the construction of Tormore Reserve Pavilion Redevelopment, Tormore Road Boronia. The Pavilion is home to the Boronia Hawks Football Netball Club as the winter tenant, and the Boronia Cricket Club as the summer tenant. Tormore Reserve is also home to the Eastern Football Netball League (EFNL) finals.

The works include partial demolition of existing pavilion and construction of a second storey addition, complete refurbishment of retained ground floor, and construction of a new crossover and entry road from Tormore Road, as per the endorsed Masterplan 2016.

Tormore Reserve also includes cricket training nets, a playground and sports oval, all will continue to operate during construction, hence all care is to be taken to minimise disruption to the user groups. There will be reduced car park areas for the user groups to allow for the construction works site to be established, and a nominated area for the placement of temporary change/toilet facilities for the tenant clubs for the duration of the period of the construction works.

The Tormore Reserve Masterplan was adopted by Council in 2016. The following open space upgrade works have been completed since:

- Renewal of Cricket nets
- Expansion of carparks
- Concrete path links around the oval and reserve
- Installation of pedestrian solar lighting along the path network
- Playspace upgrade and renewal
- Installation of new BBQ's, picnic shelter, picnic tables and drinking fountain
- Installation of outdoor gym equipment
- New tree and garden bed planting
- New public toilets (external to the pavilion)

The existing Tormore Reserve Pavilion was built in 1976, and is now considered not fit for purpose, as it only provides makeshift gym and first-aid areas, no dedicated female change rooms and amenities, nor DDA facilities apart from an outdated accessible toilet.

The new facility will comprise of four (4) change rooms and amenities, umpire change rooms, first aid rooms, a social/multipurpose room, meeting rooms, offices, storage space, a kitchen and cafeteria, and a bar. The new facility will meet the Knox Pavilion Strategy for room provision and sizes and all relevant building and usage (best practice) standards, as well as delivering significant environmental benefits consistent with Council's Sustainable Buildings and Infrastructure Policy.

Council has received \$6.2M in funding grants from both the Federal and State Governments to deliver a new Football/Cricket Pavilion at Tormore Reserve, with a \$5.0M grant from the Federal Government and \$1.2M grant from the State Government. The new facility is intended to serve the football, cricket and netball clubs associated with this reserve.

The grant funding received is for the pavilion works. The masterplan adopted by Council included modifications to the car park and entry road to reduce conflict between pedestrians and vehicles in the vicinity of the pavilion. Given the works being undertaken on the pavilion the opportunity to undertake these roadworks has been incorporated into the works package and will be funded from within Council's roads program (\$60,000). Undertaking the works as part of the larger project has achieved efficiencies and cost savings compared to undertaking the works separately at a future date.

In accordance with Council's Procurement Policy, after considering the complexity, value and risk associated with this contract, it was determined to utilise a public tender process commensurate with the approved Procurement Plan.

This report considers and recommends the appointment of a tenderer to undertake the works.

2. ENGAGEMENT

The tenant clubs have been consulted and the scope of works and timelines confirmed.

The surrounding residents have also been consulted with regards to the proposed redevelopment of the pavilion via letter drop, Council's *'Have Your Say'* page, and an information drop-in session held on Tuesday 12 September 2023.

Council advertised a public tender for this project on 13 July 2024 in accordance with Council’s Procurement Policy and approved Procurement Plan. The tender closed on 16 August 2024.

Nine submissions were received from the below respondents:

- ARC 3
- Ausbuild Constructions P/L
- Circon Constructions P/L
- Fimma Constructions P/L
- Harris HMC P/L
- Melbcon P/L
- Newpol Constructions P/L
- Searle Brothers
- Constructive P/L

In accordance with the Procurement Plan, the evaluation panel and evaluation criteria weightings were nominated and approved prior to opening the Tender.

The Tender Evaluation Panel consisted of suitably qualified panel members experienced in the evaluation and award of major capital works projects. An independent probity advisor from Council’s Procurement team was also engaged to ensure that good governance protocols were utilised by the evaluation panel throughout the assessment.

All tender submissions were assessed for their compliance in accordance with the evaluation criteria as per the Procurement Plan and tender documentation.

Mandatory Evaluation Criteria	
Commercial Compliance	
<ol style="list-style-type: none"> 1. Quality Management (specify systems or process requirements) 2. Occupational health and safety (specify systems or process requirements) 3. Risk and insurance 4. Compliance and conditions of contract 5. No conflict of interest 	
Other Mandatory Criteria	
<ol style="list-style-type: none"> 1. Attendance at Mandatory Site Briefings (24th July and 31st July 2024) 	
Comparative Criteria	Weighting
Compliance with specification	10%
Capability	20%
Relevant experience, past performance and category management	20%
Local, social and environmental considerations	10%
Pricing	40%
TOTAL	100%

The evaluation of the tenderers was undertaken as detailed in the Tender Evaluation Report (Confidential Attachment 1).

Melbcon P/L is the highest recommended tendered with the highest overall evaluation score. It is anticipated that Melbcon P/L will provide satisfactory performance and successfully deliver this project.

3. SOCIAL IMPLICATIONS

This project delivers a number of social benefits to the community including:

- Maximum usage of community and Council facilities;
- Improved accessibility for all;
- Engagement opportunities within community based projects; and
- Capacity building for local organisations to deliver activities and programs to the community.

4. CLIMATE CHANGE CONSIDERATIONS

The chosen contractor is committed to ensuring that considerations to climate change are undertaken as part of their ongoing works. Methods of recycling, reduction of waste, specification of environmentally friendly materials, solar panels and the omission of gas in favour of electrification have all contributed to climate change considerations.

5. ENVIRONMENTAL IMPLICATIONS

The new facility will meet all relevant building and usage (best practice) standards, as well as delivering significant environmental benefits consistent with Council's Sustainable Buildings and Infrastructure Policy.

6. FINANCIAL AND RESOURCE IMPLICATIONS

The project has a grant funded budget allocation of \$6,200,000 within the 2024/25 Capital Works Program (CWP) to commence construction works. An additional \$60,000 from Council's Road Program (R1001) has been allocated for the construction of a new access road as per the adopted Masterplan 2016. The construction period will extend into the 2025/26 CWP, with completion due in June 2026.

The total funds allocated to the construction of Tormore Reserve Pavilion Redevelopment is within the nominated budget as detailed in the attached Procurement Report (Confidential Attachment 1).

7. RISKS

Risk	Impact (high / low)	Likelihood	Plan to reduce risk
Delivery of the project outside of the contract timeframes and budget	Medium	Low	Demonstrated capacity to deliver has been included in the key evaluation criteria.

8. KNOX COMMUNITY AND COUNCIL PLAN 2021-2025

Natural Environment & Sustainability

Strategy 3.1 - Preserve our biodiversity and waterways and enhance our urban landscape.

Connection, Resilience & Wellbeing

Strategy 4.1 - Support our community to improve their physical, mental and social health and wellbeing.

Strategy 4.2 Foster inclusivity, equality, belonging and safety within the community.

Civic Engagement and Integrity

Strategy 5.2 Manage our resources effectively to ensure financial sustainability and improved customer experience.

Strategy 5.3 Ensure our processes are transparent and decisions are accountable.

Natural environment and sustainability

Strategy 3.2 Prepare for, mitigate and adapt to the effects of climate change.

Strategy 3.3 Lead by example and encourage our community to reduce waste.

9. CONFLICT OF INTEREST

The officers contributing to and responsible for this report have no conflicts of interest requiring disclosure under Chapter 5 of the Governance Rules of Knox City Council.

10. STATEMENT OF COMPATIBILITY

There are no legislative obligations under the Human Rights Charter, Child Safe Standards or the Gender Equity Act that are incompatible with the recommendation in this report.

11. CONFIDENTIALITY

Attachment 1 is included in the confidential agenda, as it contains confidential information pursuant to Council's Governance Rules and Section 66 of the Local Government Act 2020, as it relates to:

- private commercial information, that if released, would unreasonably expose the proposed panel of Contractors to disadvantage because it would release financial information about the business that is not generally available to their competitors.

ATTACHMENTS

Nil

5 Notices Of Motion

6 Supplementary Items

7 Urgent Business

8 Confidential Items