



NORTH PORT OVAL ELECTION COMMITMENTS AND FUNDING AGREEMENT

EXECUTIVE MEMBER: TONY KEENAN, GENERAL MANAGER, COMMUNITY WELLBEING AND INCLUSION

PREPARED BY: DAVID NANKERVIS, COORDINATOR RECREATION AND OPEN SPACE PLANNING

ANTHONY TRAILL, MANAGER OPEN SPACE, RECREATION AND COMMUNITY RESILIENCE

1. PURPOSE

- 1.1 To provide Council with an update on North Port Oval (NPO) Federal and State Election Commitments sourced by Port Melbourne Football Club.
- 1.2 To seek Council approval to enter into an agreement between City of Port Phillip and the Port Melbourne Football Club (PMFC) to allow the Club to deliver Election Commitment projects at NPO of broadcast lighting and female amenity enhancements.
- 1.3 To seek Council approval to delegate authority to the Chief Executive Officer to enter into a formal agreement with the Club aligned to agreed Principles (Attachment 1).
- 1.4 To seek approval to provide Councils budget of \$250,000 towards community level lighting at this site to the project. Subject to broad community access to sports lighting being maintained.

2. EXECUTIVE SUMMARY

- 2.1 North Port Oval (NPO) is an important public open space within the Fishermans Bend Urban Renewal Area providing a long history supporting Australian Rules football and turf cricket.
- 2.2 North Port Oval is the preferred venue for AFL Victoria hosting the Victorian Football League Finals and seen as a venue to help grow female participation in Victoria off the back of the success of the national AFLW competition.
- 2.3 The Port Melbourne Cricket Club (PMCC) and Port Melbourne Football Club (PMFC) have co-existed at the oval since the 1800's. PMCC is the primary tenant in the summer season, playing community level cricket in the Cricket Southern Bayside competition. PMFC is the primary winter season tenant, playing elite football in the Victorian Football League (VFL) competition.
- 2.4 PMFC has been proactive in seeking funding for broadcast level lighting and amenities that support female football. Subsequently Federal Government (\$1.5M) and State Government (\$2M) have committed Election Commitment funding towards improvements of the site infrastructure, namely broadcast lighting and broadcast box, electronic scoreboard, electronic fence signs and changeroom amenities.



- 2.5 PMFC and AFL Victoria desire broadcast level lighting at NPO to enable televised night football matches. Currently games are played during day-light hours only (traditionally up to 5pm), with many football games, including finals, televised. The introduction of lighting is seen as an opportunity to play Thursday night fixtures and conclude matches at 6pm which is important for broadcasters as a lead into their news program.
- 2.6 PMFC has expressed their desire to manage and deliver the Election Commitment projects instead of Council, primarily focussing on the broadcast lighting and the female amenities as the first stage.
- 2.7 PMFC have indicated that they have contacts and contractors that can successfully manage and deliver the Election Commitment projects. It is proposed that Council enter a formal agreement with PMFC to allow them to project manage the design and delivery of the works.
- 2.8 The Agreement is proposed to include key principles (attachment 1) which includes expectations such as PMFC seeking relevant Permits including Planning and Building, hold points for land manager endorsement, community engagement expectations and delegation of all the funding and financial risks.
- 2.9 Council has a budget of \$250,000 to upgrade the sports lighting at North Port Oval to the community base level standard for Port Phillip sporting grounds. Council will provide this amount towards the broadcast lighting project if the design and delivery of infrastructure still allows broad community access at a fair and transparent rate agreed by Council Officers.
- 2.10 Council also has a budget of \$25,000 in 2020/21 to undertake site planning and design to upgrade the perimeter fencing, public access gates and surrounds, with a future budget of \$705,000 to deliver these site improvements that enhance the broader community access to the site outside sporting operations.

3. RECOMMENDATION

That Council:

- 3.1 Enters into an agreement with Port Melbourne Football Club allowing them to project manage and deliver the Federal and State Election Commitments at North Port Oval of broadcast lighting and female amenity enhancements.
- 3.2 Allocates the Council budget of \$250,000 to deliver community level lighting at North Port Oval towards the clubs broadcast lighting project, if the design and delivery of infrastructure still allows broad community access at a fair and transparent rate.
- 3.3 Notes the Port Melbourne football club will be responsible for the broadcast lighting compliance to Australia standards, asset management, operational costs and maintenance.
- 3.4 Notes the Port Melbourne Football Club will be required to obtain all required planning and building permits, including engagement with the community prior to construction.



- 3.5 Authorises the Chief Executive Officer to finalise and execute an agreement consistent with principles in *Attachment 1* with the Port Melbourne Football Club.
- 3.6 Notes this resolution and agreement maximises the community benefit for Councils contribution and transparently sets the operating costs that are above the community standard with that user.
- 3.7 Notes the Port Melbourne Football Club and Port Melbourne Cricket Club have a long and proud history at North Port Oval since the 1800's.
- 3.8 Notes Councils ongoing commitment to enhance and encourage broad community access to North Port Oval outside sporting operations.
- 3.9 Delegates authority to the Chief Executive Officer to make amendments to the documents to correct any minor drafting errors that do not materially alter the intent of the policy.

4. KEY POINTS/ISSUES

Background

- 4.1 North Port Oval is managed by Council as Committee of Management under the Crown Land (Reserves) Act 1978.
- 4.2 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. The reserve has been used for cricket and Australian Rules football since the late 1800s.
- 4.3 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 to the playing field for training and matches from October to March, and the football club having for training and matches from April to September. Both clubs also undertake pre-season training before their respective seasons commence.
- 4.4 The PMCC senior teams play in Cricket Southern Bayside's turf wicket competition. This competition is community based. The Club has five senior teams and experiencing growth in their junior player numbers. The Club also plays matches on Woodruff Oval within JL Murphy Reserve.
- 4.5 The PMFC plays in the Victorian Football League (VFL) which is the second-tier competition to the Australian Football League (AFL).
- 4.6 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.
- 4.7 As the NPO is used for elite AFL competition, the facilities are required to be maintained at an exceptional standard so that the surface and infrastructure is suitable for players and presents well for at-ground spectators and television viewers.
- 4.8 NPO is identified as a key community public space to cater for the new population of Sandridge precinct 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.

Federal and State Election Commitments

- 4.9 PMFC has been proactive in seeking funding for broadcast level lighting and amenities that support female football at Northport Oval.
- 4.10 Federal Government (\$1.5M) and State Government (\$2M) have committed Election Commitment funding towards improvements of the site infrastructure.
- 4.11 The scope of works announced in the Election Commitment includes: broadcast lighting, broadcast boxes, electronic fence signage, female amenities, electronic scoreboard.

Council Contribution

- 4.12 The Council Budget 2020/21 contains an allocation of \$250,000 towards lighting improvement to community training level,
- 4.13 To deliver enhanced broader community access outside sporting operations. Council has \$25,000 for designing the future improvements to the fences, gates and surrounds, with a future budget of \$705,000 to deliver these works.
- 4.14 In 2019, Council funded \$1.9M in the reconstruction of the playing surface which included upgraded fence and player shelters. This project was delivered by AFL Victoria for and on behalf of Council.

The Proposal

- 4.15 PMFC have indicated that they have contacts and contractors that can successfully manage and deliver the Election Commitment projects.
- 4.16 PMFC have provided Officers with confidence that they can deliver the scope of works which will be outlined in the proposed Agreement because of the Clubs project management contacts and its commitment to deliver the works.
- 4.17 The Agreement is proposed to include key Principles (attachment 1) which includes expectations such as PMFC seeking all relevant Permits including Planning and Building, undertakes community engagement, and accepts all the funding and financial risks and liabilities.
- 4.18 PMFC would be responsible for seeking scope agreement with all funding partners before commencing construction.
- 4.19 Subject to Council approval, it is proposed that Council enter a Deed of Agreement with the Club to allow them project manage the design and delivery of the Election Commitments, with the primary focus being broadcast lighting and female amenities.

Additional Project Information

- 4.20 There are currently 4 small light towers which don't provide suitable lighting levels for training or night broadcast quality. The proposed works will include broadcast,



competition and training standard settings. It is estimated 4 new light towers will be required with each tower approximately 40 meters high.

- 4.21 Soil contamination is known at the reserve. Under the proposed agreement, Council would provide PMFC with knowledge of soil contamination information, and PMFC would be responsible for financial risk and safe management practices of the known soil contamination on site.
- 4.22 The timing of the works can occur in alignment to the funding partners desired timelines and contractor availability, whilst not unreasonably impacting either clubs operations at the site.
- 4.23 PMFC is aware of the needs and expectations of community cricket and proposes a design and functionality that will also support their needs for years to come. Details of stakeholder expectations will be documented in the Agreement.
- 4.24 The new and upgraded infrastructure would become a Council asset, except for the broadcast lighting which would be owned and managed by PMFC. Council would retain responsibility for ownership, insurance and operations of all site assets (except broadcast lighting)
- 4.25 The broadcast lighting ongoing operating and maintenance costs would be funded by PMFC and documented in the Agreement
- 4.26 All infrastructure on the site is for use by the broader community and both sports clubs. The PMFC and PMCC are working together to sign an MOU which would confirm this arrangement and the expectations for access and utilisation.

5. CONSULTATION AND STAKEHOLDERS

- 5.1 The following groups have been consulted regarding the project:
 - AFL Victoria;
 - Cricket Victoria;
 - Port Melbourne Cricket Club;
 - Port Melbourne Football Club;
 - Sports and Recreation Victoria
 - Federal Department of Health (PMFC)
- 5.2 All of the involved parties are supportive of the works to be undertaken and have been informed by Officers prior to the Council meeting of PMFC managing the project prior.
- 5.3 Feedback from the PMCC and cricket governing bodies has primarily related to the timing of works and future seasonal use of the facilities. The preference of PMCC and cricket governing bodies is for the works to not impact cricket training and games, and that the use of the field and lights for football remains within the traditional winter season schedule. Noting that the broadcast lights has the ability to support women's elite football, which is generally played in the summer season, the impact to community cricket is recognised in the Agreement with clarity that football activities remain in the traditional winter months.



- 5.4 PMFC will engage with the local properties surrounding NPO as part of the Planning Permit application and Heritage approval process, and ongoing during the construction. The appropriate hours of use will be set at this through the planning permit request and public advertisement process.
- 5.5 A Communications and Engagement Plan will be developed outlining how to help inform local residents, club members and stakeholders about the project.

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 PMFC. This Agreement will be based on the Principles (Attachment 1) and will require the Chief Executive Officers of both organisations to agree to final terms and conditions and execute the document.
- 6.2 Redirecting Council funds and the Election Commitment funding to PMFC will enable the club to have oversight of the project and budget. Council will allocate a project manager to oversee the works and adherence to the Agreement.
- 6.3 Assigning PMFC as project managers is seen as a low risk, due to their access to suitably qualified industry contacts and sub-contractors that will undertake the works. It is in PMFC interests to deliver the projects in accordance with the Election Commitments requirements.

7. FINANCIAL IMPACT

- 7.1 Council has a budget of \$250,000 to upgrade the sports lighting at North Port Oval to the community base level standard for Port Phillip sporting grounds. Council will provide this amount towards the broadcast lighting project if the design and delivery of infrastructure still allows broad community access at a fair and transparent rate signed off by Council.
- 7.2 The broadcast lighting will be owned and managed by PMFC. Including ongoing operating costs, utility fees and maintenance costs.

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 and PMFC, and PMFC and its sub-contractors.
- 8.2 Broadcast lighting will have brighter lights than Councils traditional training level lights. All new sports field lighting will need to comply with the relevant Australian Standards, including amenity impact on residential areas.

9. COMMUNITY IMPACT

- 9.1 During the works, areas of the oval and surrounds may not be accessible to the public
- 9.2 During the upgrade works, the clubs will be able to use the venue for pre-season training, in-season training and competition games



- 9.3 During the works, both the PMCC and PMFC will still be able to access the pavilions and community rooms. During works to the amenities these will likely be off-limits with access limited to the Visitors pavilion change rooms
- 9.4 Broadcast lights will be brighter than traditional community level sports lights. The light towers will also be significantly larger. All new sports lights will need to comply with Australian Standards and adhere to light spill and glare requirements.

10. ALIGNMENT TO COUNCIL PLAN AND COUNCIL POLICY

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

- (a) the Council Plan 2017-27 (as revised August 2020),

Strategic Direction 1 – We embrace difference and people belong;

1.1 A safe and active community with strong social connections; by providing access to flexible multi-purpose facilities that support participation in community life through sport, recreation and life-long learning

- (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 approximate timelines are envisaged:

- Stakeholder engagement including sports clubs and Associations – September 2020
- Tenant clubs to enter into an MOU agreement regarding site use and agreed ways of working
- PMFC finalise scope and funding agreements with Funding Partners – October 2020
- CoPP and PMFC finalise Agreement, including specific terms and conditions outlined in the Principles document (attachment 1) – October 2020

11.2 COMMUNICATION

11.2.1 It is intended that PMFC will advise local residents of the project 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. The Communications and Engagement plan will form part of the Agreement with PMFC.

11.2.2 Stakeholder engagement will continue with the funding partners, State Sporting Associations and the tenant sports clubs.

11.2.3 Council will have a project webpage for community members to obtain information about the project



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 1. Attachment 1 - Agreement Principles Port Melbourne Football Club and City of Port Phillip