



## MELTON CITY COUNCIL

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Notice is hereby given that the Special Meeting of the Melton City Council will be held in the Council Chamber, Civic Centre, 232 High Street, Melton on 17 February 2020 at 7:00pm.

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**THIS AGENDA CONTAINS REPORTS TO BE DEALT WITH AT A CLOSED MEETING OF COUNCIL**

Kelvin Tori  
CHIEF EXECUTIVE

**Visitors to the Gallery please note:**

Proceedings at Council meetings are controlled by the Chairperson. The Chairperson is empowered to enforce the provision of Council's Local Law, which includes the following aspects:

- **Silence** must be maintained by members of the public in the gallery at all times. A visitor to the gallery must not interject or take part in the debate that occurs in the Chamber.
- Members of the public in the gallery must not operate **recording equipment** at a Council or Special Committee Meeting without the prior written consent of Council.
- **Question time** is available at every Ordinary Meeting to enable members of the public to address questions to Council. All questions must be received by the Chief Executive Officer or other person nominated for this purpose no later than:
  - i) 5 pm on the day of the Ordinary Meeting if questions are submitted into the receptacle designated for public questions outside the Council Chamber
  - ii) 5pm on the day of the Ordinary Meeting if questions are submitted by electronic medium as per Council website directions.

A person must not submit more than two (2) individual questions at a meeting, inclusive of all parts and variants as interpreted by the Chairperson or other person authorised for this purpose by the Chairperson. The person directing the question must be present in the gallery at the time the question is to be dealt with for it to be valid.

- It is an offence for any person, not being a Councillor, who is guilty of any improper or disorderly conduct to not leave the meeting when requested by the Chairperson to do so.  
Penalty: 20 Penalty Units
- It is an offence for any person to fail to obey a direction of the Chairperson relating to the conduct of the meeting and the maintenance of order.  
Penalty: 20 Penalty Units

A penalty unit for a Local Law made under Part 5 of the *Local Government Act 1989* is \$100 in accordance with s110(2) of the *Sentencing Act 1991*.

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**1. APOLOGIES AND LEAVE OF ABSENCE**

The Mayor will call for any apologies received from any Councillors who are unable to attend this meeting.

**2. DECLARATION OF ANY PECUNIARY INTEREST, OTHER INTEREST OR CONFLICT OF INTEREST OF ANY COUNCILLOR**

Pursuant to Section 77A, 77B, 78A, 78B, 78C, 78D, 78E and 79 of the Local Government Act 1989, any Councillor must declare any direct or indirect interest, and any conflict of interest, in any items contained within the Notice Paper.

### 3. PRESENTATION OF STAFF REPORTS

#### 3.1 CONTRACT 19/055 COBBLEBANK INDOOR STADIUM - CONSTRUCTION

Author: Lauren Pammer - Acting Capital Projects Coordinator  
Presenter: Maurie Heaney - General Manager Community Services

#### PURPOSE OF REPORT

To seek Council's approval for the award of Contract No. 19/055 for the construction of Cobblebank Indoor Stadium.

#### RECOMMENDATION:

That Council:

1. Award Contract No. 19/055 for the construction of Cobblebank Indoor Stadium to H.Troon Pty Ltd for the sum of \$26,683,408 (excl. GST) inclusive of the tender option for a retractable seating system
2. Delegate to the Chief Executive Officer the execution of all contract documents

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#### REPORT

##### 1. Executive Summary

At the Ordinary Meeting of Council held 17 October 2017 Council approved the Toolern PSP precinct (Cobblebank) as the site to develop a new high ball indoor stadium. Mantric Architecture were subsequently awarded the design contract in December 2018 and delivered a design incorporating a 6 court stadium including all amenities, seating, reception, kiosk, social spaces, car parking and landscaping.

The purpose of this report is to seek approval to award Contract No. 19/055 for construction of the Cobblebank Stadium for the amount of \$26,683,408 to H.Troon Pty Ltd. An expression of interest for construction services was undertaken in July 2019 with 8 companies ultimately invited to progress to the direct tender phase in November/December 2019.

Construction of the new Cobblebank Stadium will commence in late March/early April 2020 and is planned for completion in the second half of 2021.

The tender evaluation summary is provided in the **Confidential Appendix** attached to this report.

##### 2. Background/Issues

In December 2018 Council awarded the design contract to Mantric Architecture who have provided a design meeting the following high level requirements:

- 6 courts including all amenities and a show court with fixed seating for 300-350 spectators and an option to include for a retractable seating system for a maximum of 1000 seats

- The court dimensions and associated amenities will meet the requirements of the peak sporting bodies (Basketball & Netball)

Through the design process the following scope was agreed upon:

- Courts and seating (fixed and retractable)
- Amenities, change rooms, storage, first aid, changing places facility and referees room
- Meeting rooms, social spaces, reception and kiosk
- Car parking and bus drop off zone
- Landscaping
- Services to site

In July 2019 an expression of interest was released to gauge interest from the construction industry and ultimately shortlist a select number of contractors, based on specific evaluation criteria to progress to the direct tender phase. Eighteen responses were received and reviewed against the following criteria

- Track record in undertaking works of a similar nature and scale
- Project team including resource availability and track record
- Organisation capacity including financial history and stability
- Health and safety, quality and environmental management systems

After the panel evaluation and completion of an independent financial assessment of each company, eight contractors were shortlisted to progress to the direct tender stage which opened on the November 13, 2019 and closed on December 18, 2019. The eight shortlisted contractors were:

ADCO Constructions (VIC) Pty Ltd

AW Nicholson Pty Ltd

Becon Constructions (Aust) Pty Ltd

Buxton Construction (VIC) Pty Ltd

Commercial Industrial Construction Group (CICG)

Devco Project & Construction Management Pty Ltd

H.Troon Pty Ltd

McCorkell Constructions

The following weighting criteria was agreed upon prior to tender close in accordance with Council's procurement requirements:

- Company experience and capacity delivering projects of a similar size and scale
- Company's demonstrated understanding of the project requirements
- Cost to Council
- Provision of local content

No member of the Tender Evaluation Panel declared any conflict of interest in relation to this tender evaluation.

The tender evaluation summary is provided in the **Confidential Appendix** attached to this report.

### 3. Council Plan Reference and Policy Reference

The Melton City Council 2017-2021 Council and Wellbeing Plan references:

1. A proud, inclusive and safe community: A City of people leading happy and healthy lives
  - 1.5 *Environments that enable and encourage positive public health and wellbeing outcomes*

### 4. Financial Considerations

The below tables show the contract cost, total project cost and annual budget allocation required to complete this project. Council will fund the project from income derived from the Council-Lend Lease Atherstone Joint Venture.

Item	Cost
Construction Contract	\$26,683,408
Professional Fees	\$1,600,000
Authority Fees	\$400,000
Fit-Out	\$150,000
Balance available for unforeseen requirements and site issues	\$2,166,592
<b>Total Budget</b>	<b>\$31,000,000</b>

Budget allocations have been approved in the 2018/19 and 2019/20 financial year with the remaining \$27,000,000 to be allocated within Council budget processes for the years 2020/21 and 2021/22.

Year	Budget
2018/19	\$1,000,000
2019/20	\$3,000,000
2020/21	\$25,500,000
2021/22	\$1,500,000
<b>Total</b>	<b>\$31,000,000</b>

### 5. Consultation/Public Submissions

The following stakeholders have been consulted during this process:

City of Melton Council departments - Recreation & Youth, Capital Projects, City Design, Strategy & Environment, Planning, Operations and Engineering

Key stakeholder to the project including planned future community user groups of the facility along with local and State sporting associations including Basketball Victoria and Netball Victoria have been consulted during the design phase of the project

The future users of the facility and relevant stakeholders will be notified of the contract award and advised of timeframes once the contractor has been engaged

## 6. Risk Analysis

The following measures have been put in place to reduce and/or eliminate the risk to Council for this project.

- The engagement of a suitably qualified design team to design, document and supervise the project via an expression of interest and direct tender process
- The engagement of a suitably qualified construction company via:
- Advertising an open expression of interest to construction companies via The Age and on the Tender search website.
- Direct tender to construction companies shortlisted through the open expression of interest process.
- Required companies tendering for the construction phase to comply with Council's occupational health and safety requirements, evidence of public liability insurance and work cover.
- To assist in the selection of a construction company with suitable occupational health and safety work practices, Council requires construction companies invited to tender to provide third party accreditation of their Occupational Health and Safety Management System.
- Council required the tenderers to provide evidence of public liability insurance and work cover.
- Conducted referee checks for the appointment of the construction company.
- Conducted Corporate Scorecard financial check on all companies shortlisted for direct tender.

## 7. Options

Council has the options to:

1. Adopt the Officers' recommendations as presented in this report.
2. Re-advertise the tender seeking further submissions.

## LIST OF APPENDICES

1. Confidential Appendix - Contract 19/055 Cobblebank Indoor Stadium -  
**CONFIDENTIAL**

Designated as confidential by the Chief Executive Officer pursuant to Section 77(2)(c) and Section 89(2)(d) of the *Local Government Act 1989*.



**4. CONFIDENTIAL BUSINESS**

Nil.

**5. CLOSE OF BUSINESS**