

7.1.7 SALE OF COUNCIL LAND 14-16 ATKINSON STREET, CHADSTONE VIC 3148

Responsible Manager:	Mark Gibson, Manager Property and City Design
Responsible Director:	Peter Panagakos, Director City Development

RECOMMENDATION

That Council:

1. **Receives this report from the Committee established by Council pursuant to Section 114 of the Local Government Act 2020 and Council’s Community Engagement Policy (Committee) to hear and consider any submissions received to Council’s public notice in respect of the proposal to sell Council’s land at 14-16 Atkinson Street, Chadstone, Victoria, 3148 being lots 124-127 (inclusive) on Plan of Subdivision PS8883 and comprised in Certificates of Titles volume 5465 folio 880, volume 4995 folio 905, volume 6331 folio 163 and volume 7508 folio 033 (“the Property”) through an Expression of Interest process.**

(“Proposal”)

2. **Notes the Committee met on Tuesday 15 August 2023 at 6.30pm to hear and consider submissions received in respect of the Proposal.**
3. **Notes that there were 156 submissions received.**
4. **Accepts the Committee’s recommendation to agree to proceed with the sale of 14-16 Atkinson Street, Chadstone being the land described in the Table below through an Expression of Interest process.**

Lot on PS8883	Certificate of Title	
124	Volume 5465	Folio 880
125	Volume 4995	Folio 905
126	Volume 6331	Folio 163
127	Volume 7508	Folio 033

5. **Having complied with its obligations under Section 114 of the Local Government Act 2020 and Council’s Community Engagement Policy, authorises the Chief Executive Officer or her delegate to sign all documentation required for the sale of the Property.**

INTRODUCTION

This report considers the outcome of the community engagement process pursuant to s.114 of the Local Government Act 2020 and Council’s Community Engagement Policy for the

proposal to sell Council’s land at 14-16 Atkinson Street Chadstone 3148 (the Property) being lots 124-127 (inclusive) on Plan of Subdivision PS8883.

BACKGROUND

On 30 May 2023, Council considered a report on the proposal to re-commence the statutory procedures for the sale of the Property through an Expression of Interest process and resolved as follows:

“That Council:

1. Notes the recent history of Council’s dealings with its property at 14-16 Atkinson St, Chadstone (the Property), including Council’s previous intentions to sell the Property and allocate part of the sale proceeds to the Caloola Reserve project.
2. Notes that that the Property is still marked in Council’s records as ‘to be sold’ and that the sale proceeds are expected, and have been budgeted, as future income. If the Property is not sold as expected, this income gap must be filled by other means.
3. Notes the unsuccessful outcome of the public auction in November 2021 (and subsequent efforts post the auction) to sell the Property due to the failure to secure purchase offers at acceptable levels, primarily due to the impacts of the COVID-19 pandemic on the property market.
4. Notes that it has been 2 years since Council previously completed the statutory procedures pursuant to Sections 189 and 223 of the Local Government Act 1989 regarding the proposal to sell the Property (May 2021) and, given this timeframe, a sale of the Property will require Council to undertake a further community engagement process to satisfy its statutory obligations for the sale of the Property under Section 114 of the Local Government Act 2020 (the Act).
5. Resolves to commence the statutory procedures pursuant to Section 114 of the Act regarding the proposal to sell the Property, being the land described in the table below:

Lot on PS8883	Certificate of Title	
124	Volume 5465	Folio 880
125	Volume 4995	Folio 905
126	Volume 6331	Folio 163
127	Volume 7508	Folio 033

(“Proposal”)

6. Gives public notice of the Proposal in accordance with Section 114 of the Act and Council’s Community Engagement Policy on Council’s website from 03 June 2023 and invites submissions on the Proposal for a period of at least 28 days from that date.
7. Authorises Council’s Chief Executive Officer or her delegate to undertake the administrative procedures necessary to enable Council to fulfil the requirements of Section 114 of the Act and Council’s Community Engagement Policy in respect of the Proposal.

8. Appoints a Committee of Council comprising the Mayor and Mount Waverley Ward Councillors to hear any submitters requesting to be heard in support of their submissions, and to consider any submissions received, at a meeting to be held on 15 August 2023 at 6:30pm at the Monash City Council Civic Centre, 293 Springvale Road, Glen Waverley, or at such later date and time as the Chief Executive Officer may determine.
9. Following the meeting of the Committee, directs the Committee to provide a report to Council on its considerations, including whether any submissions were received and, if so, a summary of those submissions, and make a recommendation to Council on whether or not to proceed with the Proposal.
10. Notes the work completed by officers to locate an alternative site for a playground and that Council has entered into a licence agreement (via authorised delegation) with the Department of Transport for the construction, ongoing maintenance, and use of a playground with associated landscaping at 2A Westbrook St, Chadstone. This will ensure the ongoing provision of a playground in close proximity to the Property.
11. Notes the cost of the design of the small playground to be located at 2A Westbrook St, Chadstone and agrees to fund the design stage cost of \$30,000 out of the FY 2023/24 capital budget and directs that a further report is presented to Council in due course to consider funding of the construction of the playground.

History of previous Council Reports

The following table contains history of previous of Council reports (timeline) regarding the Property:

Council Meeting	Report Item No.	Report Title/Purpose/Decision
27 June 2017	2.5	<p>Title: OAKLEIGH RECREATION CENTRE REDEVELOPMENT PROJECT</p> <p>Purpose</p> <p>To update Council on the Oakleigh Recreation Centre redevelopment project and the preferred option for the relocation of the Oakleigh and North Oakleigh Tennis Clubs to Caloola Reserve, and to seek Council’s decision on conducting a community consultation on the proposed construction of new tennis courts at Caloola Reserve.</p> <p>(Relevant) Decision of Council</p> <p><i>“That Council:</i></p> <p>.....</p> <p><i>2. Authorises officers to continue negotiations regarding the relocation of Oakleigh Tennis Club to Caloola Reserve Oakleigh and to proceed with the design phase for the proposed relocation of the Oakleigh Tennis Club;</i></p> <p><i>3. Authorises officers to continue discussions with North Oakleigh Tennis Club (Corner Atkinson and Timmings Streets Chadstone) regarding the potential relocation of their tennis</i></p>

		<p><i>club to Caloola Reserve Oakleigh to form a regional tennis centre; and</i></p> <p><i>4. Authorises officers to conduct community consultation on the proposed construction of new tennis courts at Caloola Reserve.”</i></p>
25 July 2017	12.2	<p>Title: Confidential - Caloola Reserve Tennis Development</p>
29 August 2017	2.3	<p>Title: Community Consultation Outcomes – Proposed Tennis Courts at Caloola Reserve, Oakleigh.</p> <p>Purpose</p> <p><i>“... to advise Council of the results of the community consultation undertaken as part of the proposal to install eight new tennis courts with LED lighting at Caloola Reserve located at 88A Drummond Street, Oakleigh (Caloola Reserve) to accommodate the relocation of Oakleigh Tennis and North Oakleigh Tennis Clubs.</i></p> <p><i>...to commence the process for the rezoning and sale of 14-16 Atkinson Street, Chadstone which is the current site of the North Oakleigh Tennis Club.”</i></p> <p>(Relevant) Decision of Council</p> <p><i>“That Council:</i></p> <p>.....</p> <p><i>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;</i></p> <p><i>5. Receives a further report advising of the tender outcomes for construction of the new tennis courts at Caloola Reserve;</i></p> <p><i>6. Commences the statutory process to sell the land at 14-16 Atkinson Street, Chadstone ... 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.... And 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; ...</i></p>
27 March 2018	7.1	<p>Title: Proposed Land Sale at 14-16 Atkinson Street, Chadstone</p> <p>Purpose</p> <p>To make a recommendation on the outcome of the Section 223 Local Government Act process and recommend the next steps in the process following consideration of the submission received.</p> <p>(Relevant) Decision of Council</p> <p><i>“That Council:</i></p>

		<p>1. <i>Having considered the submission received under Section 223 of the Local Government Act resolves to sell the Council land at 14-16 Atkinson Street, Chadstone.</i></p> <p>2. <i>Request that the Minister for Planning authorise Council to prepare an amendment to the Monash Planning Scheme under Section 20(2) of the Planning and Environment Act 1987 to rezone the land to General Residential – Schedule 2 and apply the Vegetation Protection Overlay – Schedule 1.</i></p> <p>3. <i>Subject to the land being rezoned from Public Use Zone – Local Government (PUZ6) to General Residential – Schedule 2 and the Vegetation Protection Overlay – Schedule 1, authorise the Chief Executive Officer or her delegate on behalf of Council to sign and seal all documentation required to effect the sale of the land.”</i></p>
31 July 2018	1.5	<p>Title: Amendment C144 – Rezoning of land at 14-16 Atkinson Street, Chadstone</p> <p>Purpose</p> <p>To consider the result of the community consultation on the proposed amendment to rezone land at 14-16 Atkinson Street, Chadstone from the Public Use Zone (PUZ6) to the General Residential Zone (GRZ2) and to apply the Vegetation Protection Overlay (VPO1) in order to facilitate the sale of the land.</p> <p>(Relevant) Decision of Council</p> <p><i>“That Council:</i></p> <ul style="list-style-type: none"> • <i>Notes that Amendment C144 to the Monash Planning Scheme was exhibited from 31 May to 2 July 2018 and no submissions were received.</i> • <i>Adopts Amendment C144 to the Monash Planning Scheme pursuant to Section 29 of the Planning and Environment Act 1987.</i> • <i>Authorises the Director of City Development (or delegate) to finalise the amendment documentation for Ministerial approval.</i> • <i>Submits the amendment to the Minister for Planning pursuant to Section 31 of the Planning and Environment Act 1987 for approval.”</i>
26 November 2019	9.3	<p>Title: Confidential – Sale of 14-16 Atkinson Street, Chadstone – Setting of Reserve Sale Price.</p>
24 March 2020		<p>Title: Confidential – Sale of 14-16 Atkinson Street, Chadstone – Setting of Reserve Sale Price</p>
15 December 2020	1.4	<p>Title: 85 Atkinson Street, Oakleigh – Part Caloola Reserve – Proposed Lease To Oakleigh Tennis Club Inc</p> <p>Purpose</p>

		<p>To commence the statutory process in accordance with Section 190 of the Local Government Act 1989 to advertise its proposal to grant a lease to the Oakleigh Tennis Club Incorporated (OTC) for the use of the tennis courts at Caloola Reserve (85 Atkinson Street Oakleigh).</p> <p>(Relevant) Decision of Council</p> <p><i>“That Council:</i></p> <p>.....</p> <p><i>2. Give public notice of the proposal in accordance with Section 190 of the Act, in a newspaper and on Council’s website from 27 January 2021 and invite submissions on the proposal.”</i></p>
23 February 2021	1.7	<p>Title: Sale of 14-16 Atkinson Street, Chadstone</p> <p>Purpose</p> <p>To seek Council’s approval to re-commence the statutory procedures pursuant to Sections 189 and 223 of the Local Government Act 1989 for the sale of the Property.</p> <p>(Relevant) Decision of Council</p> <p>“Resolution Number 3 –</p> <p><i>“That Council:</i></p> <p>.....</p> <ul style="list-style-type: none"> • <i>Given item 2 above, agrees to re-commence the statutory procedures pursuant to Sections 189 and 223 of the Local Government Act 1989 (the Act) regarding Council’s proposal to sell the Site(s) being the land described in the table below: ...”</i>
27 April 2021	1.5	<p>Title:</p> <p>85 Atkinson Street, Oakleigh – Part Caloola Reserve – Proposed Lease To Oakleigh Tennis Club Inc</p> <p>Purpose</p> <p>To consider the outcome of the public notification process pursuant to s.223 of the Local Government Act 1989 (Act) for the lease of part Caloola Reserve, 85 Atkinson Street Oakleigh to the Oakleigh Tennis Club Inc.</p> <p>(Relevant) Decision of Council</p> <p><i>“That Council:</i></p> <p>.....</p> <p><i>4. Accepts the Committee’s recommendation to lease part Caloola Reserve, 85 Atkinson Street Oakleigh to the Oakleigh Tennis Club Inc.”</i></p>
25 May 2021	1.7	<p>Title: Sale of 14-16 Atkinson Street, Chadstone</p> <p>(Section 223 Committee report)</p> <p>Purpose</p>

		<p>To consider the outcome of the public notification process pursuant to s.223 of the LGA for the sale of the Property and make recommendations to Council.</p> <p>(Relevant) Decision of Council</p> <p><i>“That Council:</i></p> <p>.....</p> <p>3. <i>Accepts the Committee’s recommendation to:</i></p> <p>(1) <i>Agree to proceed with the sale of 14-16 Atkinson Street, Chadstone being the land described in the Table below by public auction or private treaty..”</i></p> <p>(2) <i>Direct officers to investigate the area for a suitable location to install a playground of similar size for the Chadstone community.”</i></p>															
26 October 2021		<p>Title: Confidential – Sale of 14-16 Atkinson Street, Chadstone – Setting of Reserve Sale Price</p>															
30 May 2023	1.4	<p>Title: Sale of 14-16 Atkinson St, Chadstone</p> <p>Purpose</p> <p>To provide an update on 14-16 Atkinson St, detail previous attempts to sell the Property and seek Council’s approval to re-commence the statutory procedures for the sale of the Property.</p> <p>(Relevant) Decision of Council</p> <p><i>“That Council:</i></p> <p>.....</p> <p>5. Resolves to commence the statutory procedures pursuant to Section 114 of the Act regarding the proposal to sell the Property, being the land described in the table below:</p> <table border="1" data-bbox="587 1368 1307 1525"> <thead> <tr> <th>Lot on PS8883</th> <th colspan="2">Certificate of Title</th> </tr> </thead> <tbody> <tr> <td>124</td> <td>Volume 5465</td> <td>Folio 880</td> </tr> <tr> <td>125</td> <td>Volume 4995</td> <td>Folio 905</td> </tr> <tr> <td>126</td> <td>Volume 6331</td> <td>Folio 163</td> </tr> <tr> <td>127</td> <td>Volume 7508</td> <td>Folio 033</td> </tr> </tbody> </table> <p>6. Gives public notice of the Proposal in accordance with Section 114 of the Act and Council’s Community Engagement Policy on Council’s website from 03 Council Meeting, 30 May 2023 Section 1.4 - Page 2 Sale of 14-16 Atkinson Street Chadstone June 2023 and invites submissions on the Proposal for a period of at least 28 days from that date.</p> <p>7. Authorises Council’s Chief Executive Officer or her delegate to undertake the administrative procedures necessary to enable Council to fulfil the requirements of Section 114 of the Act and Council’s Community Engagement Policy in respect of the Proposal.</p> <p>8. Appoints a Committee of Council comprising the Mayor and Mount Waverley Ward Councillors to hear any submitters requesting to be heard in support of their submissions, and to consider any</p>	Lot on PS8883	Certificate of Title		124	Volume 5465	Folio 880	125	Volume 4995	Folio 905	126	Volume 6331	Folio 163	127	Volume 7508	Folio 033
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		submissions received, at a meeting to be held on 15 August 2023 at 6:30pm at the Monash City Council Civic Centre, 293 Springvale Road, Glen Waverley, or at such later date and time as the Chief Executive Officer may determine.
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Public Notification

In accordance with item 6 of Council’s 30 May 2023 resolution, a public notice advising of Council’s intention to sell the Property was published on Council’s website on 16 June 2023, calling for submissions on the proposal to be received by 5:00pm on 17 July 2023.

Public Response

156 submissions were received during the submission period. 2 submitters requested to speak to their submissions at the Committee of Council meeting on 15th August 2023.

A detailed report on the engagement, including the Template, other submissions and Officer responses is provided in *Sale of 14-16 Atkinson St, Chadstone – Community Engagement Report in Attachment 1*.

THE SUBMISSIONS

The following table shows the response sentiments from the 156 submissions received.

In Supportive	Not in Support	Unclear
0	154	2

The 2 submissions with “unclear” sentiments are assumed to be not supportive due to containing part(s) of the Template, which itself does not support the proposed sale.

The submissions are summarised as follows:

- 132 submissions used a template response which proposes that 14-16 Atkinson St, Chadstone not be sold, and asks Council to instead support a different proposal put forward by the Oakleigh Tennis Club for the refurbishment of the three courts at the Property, with new artificial grass surface as well as the installation of a new Book-a-Court system, so that the Property may be used for tennis by the club. (“Template”).
 - Within the 132 template submissions, 2 submissions from the Oakleigh Tennis Club included a document detailing the proposed renovations, which includes an estimate of \$200,000.00 for the proposed court surface works and an offer from the club to contribute \$100,000.00; and
- One submission including the Template and additional comments was received from Tennis Victoria.
- 22 submissions used the Template but either modified it or included additional comments.
- 2 submissions did not use the Template.

The main issues raised by all submitters using the Template from the Oakleigh Tennis Club (“Club”) is as follows:

- The Club does not support Council selling 14-16 Atkinson St and instead proposes that Council support a different proposal from the Club for the refurbishment of the three courts at this site with new artificial grass surface as well as the installation of a new Book-a-Court system, so that this site may be used for tennis by the Club.
- The Club’s promotion of tennis in the area has resulted in increased membership numbers (650 currently) and increased use of facilities by non-members, which in turn has resulted in difficulty with managing demand for the 8 courts at Caloola Reserve and the Club has recently been forced to hire outside courts to meet weekend demand.
- The Club has estimated costs for refurbishing the courts at 14-16 Atkinson St to be \$200,000.00 and proposes to contribute \$100,000.00 to the court refurbishment.
- The Club cites the Monash Council’s 2019 Tennis Discussion Paper and states that refurbishing the courts at 14-16 Atkinson St will address a court to population ratio deficiency in this area.
- The Club states that refurbishing the courts at 14-16 Atkinson St would cost far less than the cost for constructing the 18 new courts at the Monash tennis Centre.
- The Club cites that the Courts at Atkinson St are compliant with Monash Council’s size and spacing requirements.
- The Club believes the Monash Tennis Centre is too far away to be considered local for the residents of Chadstone, Ashwood, Burwood and Oakleigh.

Committee of Council Meeting

The Committee of Council met on 15 August 6:30pm in the Council Chambers to consider the outcome of the above public notification process.

The Mayor, Councillor Tina Samardzija and Councillors Anjalee de Silva and Brian Little made up the Committee. Councillor Paterson was an apology.

The Agenda of the Committee was to consider the submissions received and make a recommendation to Council. After considering the submissions and information regarding the Property the outcome of the Committee was as follows:

“The Committee resolved having considered the submission received, to proceed with Option 1 - Disposal of the Land”.

The Committee noted the 156 submissions made with respect to the proposed sale of the Property, including the comments made by two submitters who spoke to their submissions.

The following information was provided to the Committee:

The Property

- The Property consists of 4 lots on PS8883 (see Image 1 below).
- The areas of each lot and total area are listed in the table below:

Lot no.	Area
Lot 124	810m2
Lot 125	810m2
Lot 126	977m2
Lot 127	945m2
<u>Total</u>	<u>3,542m2</u>

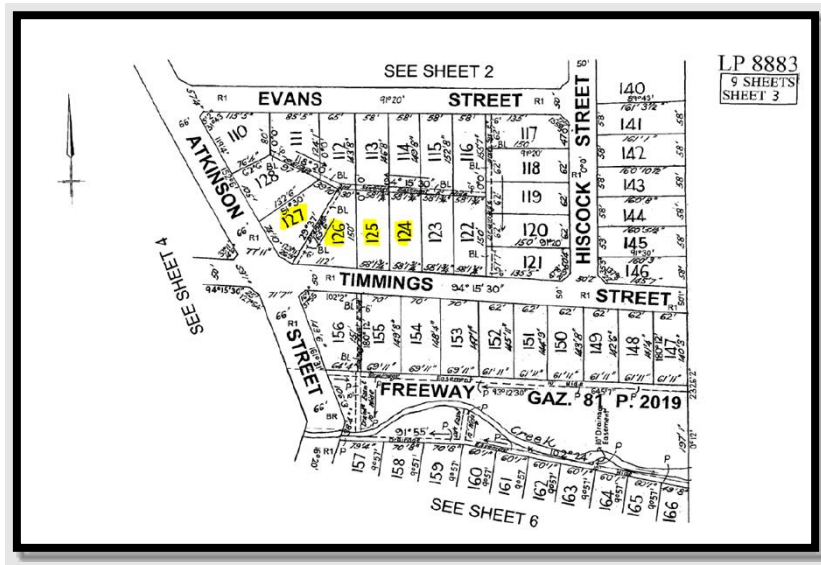


Image 1

Tennis Clubs Engagement

In 2017, officers formally engaged in discussions with the former North Oakleigh and Oakleigh Tennis Clubs regarding a proposal for their relocation to a new tennis facility at Caloola Reserve in order to facilitate the works required by the Oakleigh Recreation Centre development project and also enable Council to rationalise ageing tennis infrastructure at the two clubs whilst consolidating tennis assets in the immediate area to ensure the long-term viability and sustainability of tennis in the area.

As discussed in the 29 August 2017 Council report, negotiations with the two tennis clubs had progressed successfully, with both clubs agreeing in principle to relocate to a new tennis facility at Caloola Reserve. It was also proposed that this project and the design of a new pavilion were 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.

At this 29 August 2017 meeting, Council resolved as follows:

“That Council....

- 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 ... 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.... And 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:*

.....”

In October 2017, a Heads of Agreement (HoA) was entered into between Council, the Oakleigh Tennis Club Inc., and the North Oakleigh Tennis Club Inc. to outline the key terms and conditions for the relocation of both clubs to the new multi-purpose sporting facility to be constructed in Caloola Reserve. A key condition of the HoA was the merger of the Oakleigh Tennis Club Inc. and the North Oakleigh Tennis Club Inc.

Council completed this construction in December 2018 and the former North Oakleigh Tennis Club surrendered their lease for 14-16 Atkinson St in June 2019.

Caloola Reserve Lease Agreement

Following the completion of the statutory requirements pursuant to Sections 190 and 223 of the Local Government Act 1989, Council entered into a lease agreement with the now-merged Oakleigh Tennis Club Inc. for the use of the new tennis facility at Caloola Reserve with a commencement date of 1 January 2021 and a term of 10 years.

Financial Considerations

The proposed sale of the site at 14-16 Atkinson St was part of the initial funding requirements for the Caloola Reserve Tennis Centre. The sale projection has been included in Council’s long term financial plan and cash projections. If the Property is not sold it will cause a significant funding gap, impacting cashflow and budgeting of future projects.

Council's long-term Financial Plan, adopted in October 2021, detailed Councils funding options for major projects. The Plan states that Council could fund early feasibility, consultation and design works of major projects within the current Financial Plan. However, the advanced design and construction phase will be supported by a Council resolution and proposed funding capacity of the project.

When Council resolved to construct the Caloola project funding was based on a combination of government grants, council funds and the sale of the Atkinson Street land. The expected proceeds from the sale are a significant proportion of the Caloola funding plan. There are no more Council funds available and the option, or window for additional government grants is no longer available. The other funding options, which are not being considered, as outlined in the Financial Plan are borrowings, reduction of services or a rate cap variation (seeking higher rates across the municipality); none of which are viable or desirable at this time.

Use for 14-16 Atkinson St

The 29 August 2017 Council report discussed how there was no identified need to retain the site for tennis or other community usage. It was determined that the site would no longer significantly contribute to Council's current or future service delivery needs and will be considered surplus to Council's requirements.

A recent consultation with the internal departments of Council confirmed that the Property is still considered surplus to Council's needs as first noted in August 2017.

Capacity at Caloola Reserve

The merged entity (Oakleigh Tennis Club) has been successful in growing tennis club membership since moving into the new facility at Caloola Reserve. However, the premise of the merger at the time was based on the newly merged club operating at Caloola Reserve and 14-16 Atkinson St being re-zoned by Council for the purpose of a land sale.

An initial high-level review of Oakleigh Tennis Club peak hour on-line bookings in July 2023 indicates there is court availability at peak times. There may be opportunities for the club to review their coaching (commercial, for-profit) activities versus courts for members/competition (not-for-profit) activities. Furthermore, no formal feasibility study has been undertaken to demonstrate legitimate need.

14-16 Atkinson St Court Conditions

As a result of the planned merger and anticipated closure of the 14-16 Atkinson St tennis facility, court condition audits were not undertaken as part of the tennis planning process in 2018/19. However, the courts at this facility are over 40 years old and court bases of this age are usually compromised as a result of issues with drainage, general deterioration, tree root invasions and construction methodologies that are not to modern standards. Therefore, the Oakleigh Tennis Club refurbishment proposal would require significant capital investment.

Furthermore, priority is given to upgrading existing assets rather than invest in new assets. Given the pre-existing asset (courts) renewal gap, it would be considered a new asset.

Open/Public Space

14-16 Atkinson St has been re-zoned as residential land. The Public Park and Recreation Zone (PPRZ) that previously existed for this site no longer applies and the space is no longer in Council's planning for use as a recreational site.

Court to Population Ratios

The Monash Tennis Plan recommends a court to population ratio of 1:2,000. The 2019 Tennis Discussion Paper grouped suburbs into sub-regions. The court to population ratio deficiency in the Ashwood, Chadstone and Burwood sub-region is a result of no courts in Ashwood and Burwood. 14-16 Atkinson St is located in Chadstone, which already has 5 courts at a court to population ratio of 1:1,950.

Provision of Tennis in the City of Monash

Council has provided significant investment into tennis in Monash over recent years, such as the Glen Waverley Sports Hub (Monash Tennis Centre). There are other tennis priorities across the municipality as identified in the Monash Tennis Plan.

Overall, tennis is well catered for across the City of Monash.

OPTIONS

Given the relevant background and discussion above, the Committee were provided with the following options for consideration:

Option 1 - Disposal of the Property

Agree to proceed with the sale of 14-16 Atkinson Street, Chadstone

Option 2 – Retain the whole of the Property

Council could agree to retain the whole of the Property. The impacts on retaining part of the Property:

- There would be no income received for the sale of the Property. The sale projection has been included in Council's long term financial plan and cash projections.
 - If the Property is not sold it will cause a significant funding gap, impacting cashflow and budgeting of future projects.
 - As noted above, the expected proceeds of the sale are a significant proportion of the Caloola funding plan and there are no other Council funds or Government grants available.
 - Other funding options as discussed above are not deemed to be viable or desirable.
- Council would have to undertake an assessment of the Property and potential alternate uses. A recent internal consultation confirmed the Property is surplus to Council's needs.
- Should Council wish to refurbish the Property for use as a tennis facility, Council may be required to rezone the land from General Residential Zone to a Public Park and Recreation Zone in accordance with the Monash Planning Scheme and would also incur further costs for the refurbishment.

COMMITTEE RECOMMENDATION

Having considered the submissions, information and options, the Committee of Council's recommends to Council that it proceed with Option (1) – Agree to proceed with the sale of the 14-16 Atkinson Street, Chadstone.

ATTACHMENT LIST

1. Attachment 1 Sale of 14 16 Atkinson St Community Engagement Report [7.1.7.1 - 19 pages]



Sale of 14-16 Atkinson St, Chadstone

COMMUNITY ENGAGEMENT REPORT

Sale of 14-16 Atkinson St, Chadstone - Community Engagement Report

Overview

This report provides the following:

- A summary of the activities undertaken during the community engagement on the Council's Proposal to sell 14-16 Atkinson St, Chadstone ("Property").
- Feedback received.

Community Engagement process

Background

At its meeting on 30 May 2023, Council resolved to commence the statutory procedures in accordance with s.114 of the Local Government Act 2020 regarding the proposal to sell the land known as 14-16 Atkinson St, being the land described as Lots 124-127 on Plan of Subdivision PS8883 through an Expression of Interest process ("Proposal").

Public Notice

In accordance with s.114 of the Local Government Act 2020 and Council's Community Engagement Policy, public notice of the Proposal was given on Council's website. Submissions were invited on the Proposal.

The community engagement on the Proposal commenced on 16 June 2023 and closed at 5.00pm on 17 July 2023.

A copy of the public notice is included in **Appendix C**.

Visitation

Visitation to the public notice on Council's website at <https://www.monash.vic.gov.au/About-Us/Public-Notices/Intention-To-Sell-Land-14-16-Atkinson-Street-Chadstone> was:

Page views: **55**

Users: **35**

Phone calls and counter enquiries

Monash Customer service received minimal, if any, phone calls and counter enquiries relating to the proposal during the engagement period.

Mayor and Councillor Emails

The Mayor and Councillors did not receive any direct submissions on the proposal.

Feedback Received

Submissions

By the engagement closing date, a total of 156 submissions were received on the Proposal, which are summarised as follows:

Sale of 14-16 Atkinson St, Chadstone - Community Engagement Report

- 132 submissions used a template response which proposed that 14-16 Atkinson St, Chadstone not be sold, and asks Council to instead support a different proposal put forward by Oakleigh Tennis Club for the refurbishment of the three courts at the Property, with new artificial grass surface as well as the installation of a new Book-a-Court system, so that the Property may be used for tennis by the club. (“Template”). This Template is shown in **Appendix A**.
 - Within the 132 submissions, 2 submissions from the Oakleigh Tennis Club included an additional document detailing the proposed refurbishment, which includes an estimate of \$200,000.00 for the proposed court surface works and an offer from the club to contribute \$100,000.00. This refurbishment proposal is shown in **Appendix B**.
- One submission including the Template and additional comments was received from Tennis Victoria.
- 22 submissions used the Template but either modified it or included additional comments.
- 2 submissions did not use the Template.

Submissions are provided in the next section. Individuals have been de-identified to protect their privacy.

Submissions were received via email at mail@monash.vic.gov.au only.

Responses

The following table shows the response sentiments from the 156 submissions received.

In Support	Not in Support	Unclear
0	154	2

The 2 submissions with “unclear” sentiments are assumed to be not supportive due to containing part(s) of the Template, which itself does not support the proposed sale.

Responses from non-individuals / organisations

The organisations that provided a submission were:

- Oakleigh Tennis Club
- Tennis Victoria

Submitters Requesting to Speak

Two submitters requested to speak to their submissions and were advised of the time, date and place of Council’s Committee to hear submissions on Council’s Proposal.

[Sale of 14-16 Atkinson St, Chadstone - Community Engagement Report](#)

What did people tell us?

Feedback Responses

Template Content

A summary of the Template (**Appendix A**) and the proposal from the Oakleigh Tennis Club ("Club") is as follows:

- The Club does not support Council selling 14-16 Atkinson St and instead proposes that Council support a different proposal from the Club for the refurbishment of the three courts at this site with new artificial grass surface as well as the installation of a new Book-a-Court system, so that this site may be used for tennis by the Club.
- The Club's promotion of tennis in the area has resulted in increased membership numbers (650 currently) and increased use of facilities by non-members, which in turn has resulted in difficulty with managing demand for the 8 courts at Caloola Reserve and the Club has recently been forced to hire outside courts to meet weekend demand.
- The Club has estimated costs for refurbishing the courts at 14-16 Atkinson St to be \$200,000.00 and proposes to contribute \$100,000.00 to the court refurbishment.
- The Club cites the Monash Council's 2019 Tennis Discussion Paper and states that refurbishing the courts at 14-16 Atkinson St will address a court to population ratio deficiency in this area.
- The Club states that refurbishing the courts at 14-16 Atkinson St would cost far less than the cost for constructing the 18 new courts at the Monash tennis Centre.
- The Club cites that the Courts at Atkinson St are compliant with Monash Council's size and spacing requirements.
- The Club believes the Monash Tennis Centre is too far away to be considered local for the residents of Chadstone, Ashwood, Burwood and Oakleigh.

Additional/Custom Submissions

The few submissions which included additional concerns are detailed in Table 2 below. Due to the small number of these submissions, no dominant themes are able to be identified that are not included in the Template.

Attachment 7.1.7.1 Attachment 1 Sale of 14 16 Atkinson St Community Engagement Report

Submissions

Table 1 – Template Submissions

The following table lists email submissions received through mail@monash.vic.gov.au which contained the Template as shown in **Appendix A**.

Individual submitters have been de-identified for the purposes of this report.

Please note – some submissions listed in the below table contained very minor alterations to the Template, such as additional greetings and signoffs. However, none of these submissions included any additional concerns beyond those in the Template.

Template-only Submissions (132 Total)						Template Content	Officer Response
SUB4	SUB34	SUB61	SUB90	SUB118	SUB147	<p>“Attn: Director City Development, Monash City Council</p> <p>I wish to object to Monash Council’s plan to sell the land situated at 14-16 Atkinson Street, Chadstone, being lots 124-127 (inclusive) on Plan of Subdivision LP8883 and comprised in certificates of titles volume 5465 folio 880, volume 4995 folio 905, volume 6331 folio 163 and volume 7508 folio 033 (‘Land’), by an expression of interest process (‘Proposal’).</p> <p>Instead, I urge Monash Council to support the proposal put forward by Oakleigh Tennis Club (OTC) to reinstate the courts with a new artificial grass surface and Book-A-Court system (the same as is currently in use at OTC’s Caloola Reserve site).</p> <p>My reasons for supporting OTC’s proposal are as follows:</p> <ul style="list-style-type: none"> • 14-16 Atkinson Street was the home of North Oakleigh Tennis Club (NOTC) from 1976 to 2019. • Prior to merging and relocating to Caloola Reserve in 2019, NOTC (3) and OTC (7) had a total of 10 courts and a combined membership 116. • OTC’s membership has since grown to 650, but Caloola Reserve only has 8 courts. • The club has done an outstanding job of promoting tennis in the local area, as the following statistics show. <ul style="list-style-type: none"> >>> 650 Members as of June 30, 2023. >>> 469 Non-members also booked a court during 2022-23. >>> 11808 Individual court bookings during 2022-23. >>> 22451 Total court hours booked during 2022-23. >>> 7.68 Average booked hours per day for each court during 2022-23. • The club does its best to ensure as many courts are available for competition tennis, coaching, organized social tennis and casual bookings by both members and non-members, but with only 8 courts and an ever-increasing demand, this is becoming more difficult all the time, especially on weekends when both competition tennis and social tennis are very popular. • OTC has recently been forced to start hiring outside courts to satisfy weekend demand. • The refurbishment of the 3 courts at 14-16 Atkinson Street would greatly assist in meeting this demand. • OTC has had a preliminary cost estimate of under \$200,000 for the refurbishment and conversion of the 3 former NOTC courts at 14-16 Atkinson Street to the same artificial grass that is in use at Caloola Reserve. 	<p>Officer Response</p> <p>Officers do not support the Oakleigh Tennis Club’s proposal for the refurbishment of the tennis courts at 14-16 Atkinson St and a return to the use of this site for tennis for following reasons:</p> <p>Tennis Club Engagement</p> <ul style="list-style-type: none"> • In October 2017, a Heads of Agreement (HoA) was entered into between Council, the Oakleigh Tennis Club Inc., and the North Oakleigh Tennis Club Inc. to outline the key terms and conditions for the relocation of both clubs to the new multi-purpose sporting facility to be constructed in Caloola Reserve. A key condition of the HoA was the merger of the Oakleigh Tennis Club Inc. and the North Oakleigh Tennis Club Inc. • This relocation and merger was required in order to facilitate the works required by the Oakleigh Recreation Centre development project and also enable Council to rationalise ageing tennis infrastructure at the two clubs whilst consolidating tennis assets in the immediate area to ensure the long-term viability and sustainability of tennis in the area. • It was also proposed that the Caloola Reserve tennis facility project and the design of a new pavilion were 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.
SUB5	SUB35	SUB62	SUB93	SUB119	SUB150		
SUB6	SUB36	SUB63	SUB94	SUB121	SUB151		
SUB8	SUB37	SUB64	SUB95	SUB122	SUB152		
SUB10	SUB39	SUB65	SUB96	SUB123	SUB153		
SUB11	SUB40	SUB66	SUB97	SUB124	SUB155		
SUB13	SUB41	SUB67	SUB98	SUB125	SUB156		
SUB14	SUB42	SUB69	SUB99	SUB126			
SUB15	SUB43	SUB70	SUB100	SUB127			
SUB16	SUB45	SUB72	SUB101	SUB128			
SUB17	SUB46	SUB73	SUB102	SUB129			
SUB18	SUB47	SUB74	SUB103	SUB130			
SUB19	SUB48	SUB75	SUB104	SUB131			
SUB20	SUB49	SUB76	SUB105	SUB132			
SUB21	SUB50	SUB78	SUB106	SUB133			
SUB22	SUB51	SUB79	SUB107	SUB134			
SUB23	SUB52	SUB80	SUB108	SUB136			
SUB24	SUB53	SUB81	SUB109	SUB137			
SUB25	SUB54	SUB82	SUB110	SUB138			
SUB26	SUB55	SUB84	SUB111	SUB139			
SUB27	SUB56	SUB85	SUB112	SUB140			
SUB28	SUB57	SUB86	SUB113	SUB143			
SUB29	SUB58	SUB87	SUB115	SUB144			
SUB30	SUB59	SUB88	SUB116	SUB145			
SUB31	SUB60	SUB89	SUB117	SUB146			

Attachment 7.1.7.1 Attachment 1 Sale of 14 16 Atkinson St Community Engagement Report

					<ul style="list-style-type: none"> The club is in a sound financial position, and is both willing and able to offer \$100,000 toward the redevelopment of these courts. Monash Council's 2019 Tennis Discussion Paper noted that the Chadstone, Ashwood and Burwood areas had by far the lowest court to population ratio (1:4039) in the entire Monash LGA, with only 1 club (5 courts) and 20,195 people. Refurbishment of these 3 courts will help redress that deficiency. To put the refurbishment cost into perspective, these 3 courts can again become available for tennis usage for much less than 1% of the cost of the 18 courts at the new Monash Tennis Centre (which is over 9 kilometres away, so is not really "local" for the residents of Chadstone, Ashwood, Burwood or even Oakleigh). These courts are compliant with Monash Council's size and spacing requirements, and the addition of an extra 3 courts to OTC's existing 8 courts at Caloola Reserve will allow the club to expand and diversify its tennis offerings even more than it is currently able to do. This proposal will save these courts for the enjoyment of future generations of tennis players. <p>Kind regards"</p>	<p><u>Financial Considerations</u></p> <ul style="list-style-type: none"> The proposed sale of the site at 14-16 Atkinson St was part of the initial funding requirements for the Caloola Reserve Tennis Centre. The sale projection has been included in Council's long term financial plan and cash projections. If the property is not sold it will cause a significant funding gap, impacting cashflow and budgeting of future projects. Council's long-term Financial Plan, adopted in October 2021, detailed Councils funding options for major projects. The Plan states that Council could fund early feasibility, consultation and design works of major projects within the current Financial Plan. However, the advanced design and construction phase will be supported by a Council resolution and proposed funding capacity of the project. When Council resolved to construct the Caloola project funding was based on a combination of government grants, council funds and the sale of the Atkinson Street land. The expected proceeds from the sale are a significant proportion of the Caloola funding plan. There are no more Council funds available and the option, or window for additional government grants is no longer available. The other funding options, which are not being considered, as outlined in the Financial Plan are borrowings, reduction of services or a rate cap variation (seeking higher rates across the municipality); none of which are viable or desirable at this time. <p><u>Use of 14-16 Atkinson St</u></p> <ul style="list-style-type: none"> In 2017 there was no identified need to retain the site for tennis or other community usage. It was also determined that the site would no longer significantly contribute to Council's current or future service delivery needs and will be considered surplus to Council's requirements. A recent consultation with the internal departments of Council confirmed that the Property is still considered surplus to Council's needs as first noted in August 2017.
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Attachment 7.1.7.1 Attachment 1 Sale of 14 16 Atkinson St Community Engagement Report

							<p><u>Capacity at Caloola Reserve</u></p> <ul style="list-style-type: none"> • While it is appreciated that the merged entity (Oakleigh Tennis Club) has been successful in growing tennis club membership since moving into the new facility at Caloola Reserve, it should be noted that the premise of the merger at the time was based on the newly merged club operating at Caloola Reserve and 14-16 Atkinson St being re-zoned by Council for the purpose of a land sale. • An initial high level review of Oakleigh Tennis Club peak hour on-line bookings in July 2023 indicates there is court availability at peak times. • Club management and operation priorities – There may be opportunities for the club to review their coaching (commercial, for-profit) activities versus courts for members/competition (not-for-profit) activities. • No formal feasibility has been undertaken to demonstrate legitimate need. <p><u>Court Refurbishment</u></p> <ul style="list-style-type: none"> • Court bases condition - As a result of the planned merger and anticipated closure of the 14-16 Atkinson St tennis facility, court condition audits were not undertaken as part of the tennis planning process in 2018/19. However, the courts at this facility are over 40 years old and court bases of this age are usually compromised as a result of issues with drainage, general deterioration, tree root invasions and construction methodologies that are not to modern standards. • The Oakleigh Tennis Club proposal would require significant capital investment. • Priority is given to upgrading existing assets rather than invest in new assets. Given the pre-existing asset (courts) renewal gap, it would be considered a new asset.
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							<p><u>Open/Public Space</u></p> <ul style="list-style-type: none"> 14-16 Atkinson St (formerly the home of the North Oakleigh Tennis Club) has already been re-zoned as residential land. As such, the Public Park and Recreation Zone (PPRZ) that previously existed for this site no longer applies and the space is no longer in Council's planning for use as a recreational site. <p><u>Court to Population Ratios</u></p> <ul style="list-style-type: none"> The Monash Tennis Plan recommends a court to population ratio of 1:2,000. The 2019 Tennis Discussion Paper grouped suburbs into sub-regions. The court to population ratio deficiency in the Ashwood, Chadstone and Burwood sub-region is a result of no courts in Ashwood and Burwood. The site in question is located in Chadstone, which already has 5 courts at a court to population ratio of 1:1,950. <p><u>Provision of Tennis in the City of Monash</u></p> <ul style="list-style-type: none"> Council has already provided significant investment into tennis in Monash over recent years. e. g., The Glen Waverley Sports Hub (Monash Tennis Centre). There are other tennis priorities across the municipality as identified in the Monash Tennis Plan. Overall, tennis is well catered for across the City of Monash.
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Table 2 – Additional/Custom Submissions

The following table details 24 email submissions received through mail@monash.vic.gov.au which contained either:

- A. The Template with additional content;
- B. A modified version of the Template; or,
- C. A custom submission.

Individual submitters have been de-identified for the purposes of this report.

Attachment 7.1.7.1 Attachment 1 Sale of 14 16 Atkinson St Community Engagement Report

Submission Number	Sentiment	Submission Content	Officer Response
SUB1	Not in Support	<p><u>Custom submission content only:</u></p> <p>"I read with great concern that the council plans to advertise the resale of the former North Oakleigh Tennis Club and the adjacent children's playground. on the corner of Atkinson and Timmings Streets in North Oakleigh.</p> <p>I protest in the greatest way possible about this proposed resale. It is preposterous!</p> <p>This is public land and should remain public land. FOREVER.</p> <p>Hands off.</p> <p>It was I who requested the council construct the playground in the late 1970s. At that time there was a growing population of children. Since then the density of houses and home units has increased dramatically, and so has the children's population in the immediate .vicinity..</p> <p>Hands off.</p> <p>Today I informed the local newspaper, the Age, and the Heral Sun about this daft proposal. Tomorrow I will arrange to place notices on all social media about the Council's scandalous behavior. [I am a published author!]</p> <p>Hands off.</p> <p>I am reliably informed that the Monash Council is one of the most affluent in Melbourne if not Australia. So why would you deny the rights of the local community to open space for recreation when there is so little space for this purpose in the immediate vicinity?</p> <p>I reiterate ... HANDS OFF."</p>	<p>Regarding the playground at 14-16 Atkinson St, at its 30 May 2023 Meeting, Council noted the work completed by officers to locate an alternative site for a playground and that Council has entered into a licence agreement with the Department of Transport for the construction, ongoing maintenance, and use of a playground with associated landscaping at 2A Westbrook St, Chadstone. This will ensure the ongoing provision of a playground in close proximity to the Property.</p> <p>The sale of 14-16 Atkinson St was initially planned by Council to fund the Tennis Facilities at Caloola Reserve, and sale proceeds are still expected as future income. This was noted by Council at its 30 May 2023 meeting.</p> <p>14-16 Atkinson St (formerly the home of the North Oakleigh Tennis Club) has already been re-zoned as residential land. As such, the Public Park and Recreation Zone (PPRZ) that previously existed for this site no longer applies and the space is no longer in Council's planning for use as a recreational site.</p> <p>All other comments are noted.</p>
SUB2	Not in Support	<p><u>Template used, with additional comments as detailed:</u></p> <p>"Please see the attached document which summarises our proposal.</p> <p>I wish to appear in person, to be heard in support of the submission before Council (or a committee established by Council for this purpose)."</p>	<p>Regarding the concerns raised in the Template and the attached proposal document, please see the Officers Response to the Template detailed in Table 1 of this Community Engagement Report.</p>
SUB3	Not in Support	<p><u>Template used, with additional comments as detailed:</u></p> <p>"Please see the attached document which summarises our proposal.</p> <p>I wish to appear in person, to be heard in support of the submission before Council (or a committee established by Council for this purpose)."</p>	<p>Regarding the concerns raised in the Template and the attached proposal document, please see the Officers Response to the Template detailed in Table 1 of this Community Engagement Report.</p>

Attachment 7.1.7.1 Attachment 1 Sale of 14 16 Atkinson St Community Engagement Report

Submission Number	Sentiment	Submission Content	Officer Response
SUB7	Not in Support	<u>Template used, with additional comments as detailed:</u> "Please make tennis accessible for everyone. "	Regarding the concerns raised in the Template, please see the Officers Response to the Template detailed in Table 1 of this Community Engagement Report. Additional comments are noted.
SUB9	Not in Support	<u>Only part of Template used, did not include the following from the Template:</u> "This proposal will save these courts for the enjoyment of future generations of tennis players."	Regarding the concerns raised in the Template, please see the Officers Response to the Template detailed in Table 1 of this Community Engagement Report.
SUB12	Not in Support	<u>Template used, with additional comments as detailed:</u> "I once again urge Monash to reconsider and think of the longer term benefits to the residents and younger generations."	Regarding the concerns raised in the Template, please see the Officers Response to the Template detailed in Table 1 of this Community Engagement Report. Additional comments are noted.
SUB32	Not in Support	<u>Template used, with additional comments as detailed:</u> "Importantly, we need to support the health and well being of the residents of Oakleigh and Monash by providing them with exercise opportunities such as tennis. (We know that we are one of the largest councils in terms of population) and these facilities need to adapt to accommodate the population growth."	Regarding the concerns raised in the Template, please see the Officers Response to the Template detailed in Table 1 of this Community Engagement Report. Additional comments are noted.
SUB33	Not in Support	<u>Only part of Template used:</u> "• Monash Council's size and spacing requirements, and the addition of an extra 3 courts to OTC's existing 8 courts at Caloola Reserve will allow the club to expand and diversify its tennis offerings even more than it is currently able to do. • This proposal will save these courts for the enjoyment of future generations of tennis players."	Regarding the concerns raised in the Template, please see the Officers Response to the Template detailed in Table 1 of this Community Engagement Report.
SUB38	Not in Support	<u>Template used, with additional comments as detailed:</u> "In further support, we have each played tennis for in excess of 60 years, and feel that tennis is one of the few active low-impact sports that can be realistically played by all sexes, ages and abilities for the whole of life. A further redeeming feature is that tennis is commonly accompanied by a more robust social interaction of players, supporters and spectators, than most other sports."	Regarding the concerns raised in the Template, please see the Officers Response to the Template detailed in Table 1 of this Community Engagement Report. Additional comments are noted.
SUB44	Not in Support	<u>Template used, with additional comments as detailed:</u> "As a member of North Oakleigh Tennis Club for over 35 years, I would love to see the courts refurbished and put to good use again"	Regarding the concerns raised in the Template, please see the Officers Response to the Template detailed in Table 1 of this Community Engagement Report.

Attachment 7.1.7.1 Attachment 1 Sale of 14 16 Atkinson St Community Engagement Report

Submission Number	Sentiment	Submission Content	Officer Response
SUB68	Not in Support	<p><u>Part of Template used, with additional comments – Full submission shown below:</u></p> <p>"Attn: Director City Development, Monash City Council I wish to object to Monash Council's plan to sell the land situated at 14-16 Atkinson Street, Chadstone, being lots 124-127 (inclusive) on Plan of Subdivision LP8883 and comprised in certificates of titles volume 5465 folio 880, volume 4995 folio 905, volume 6331 folio 163 and volume 7508 folio 033 ('Land'), by an expression of interest process ('Proposal'). Instead I wish to support Oakleigh tennis clubs proposal for refurbishment, the reasons for this being: 1. Oakleigh tennis club (OTC) has grown significantly over the last two years, and is still growing exponentially with new members every week joining 2. I love the club because they bring tennis to the community, with almost daily social tennis sessions, open to all. As compared to the majority of other tennis clubs I have played at, OTC does this at the minimum price to the member, clearly more interested in bringing tennis to the community rather than making a profit (unlike a particular multi club tennis association) 3. Because of the growing demand and increased membership base combined with the contribution to community tennis (competitions, coaching, social tennis), court hire is becoming incredibly difficult during peak hours with almost no availability during the evenings in the weekdays, even during winter. 4. Therefore more courts are desperately required to maintain the current membership base (I already know members considering leaving due to poor court availability) and to further grow the club to provide the community involvement it already does. 5. Selling the land (presumably for housing) is so short sighted, it will make a small amount of money for the council, but you will never find the space to make more tennis courts in future as there simply won't be the space. Chadstone is already an area with fewer parks and tennis courts than most other suburbs, making it less liveable than other areas. Please don't exacerbate this problem."</p>	<p>While it is appreciated that the merged entity (Oakleigh Tennis Club) has been successful in growing tennis club membership since moving into the new facility at Caloola Reserve, it should be noted that the premise of the merger at the time was based on the newly merged club operating at Caloola Reserve and 14-16 Atkinson St being re-zoned by Council for the purpose of a land sale.</p> <p>Proceeds from the sale of 14-16 Atkinson St, as initially planned by Council to fund the Tennis Facilities at Caloola Reserve, are still expected as future income, as noted by Council at its 30 May 2023 meeting.</p> <p>The City of Monash has invested heavily in tennis in recent years and tennis is well catered for overall in the municipality.</p> <p>For more information, please see the Officers Response to the Template detailed in Table 1 of this Community Engagement Report.</p>
SUB71	Not in Support	<p><u>Template used, with additional comments as detailed:</u></p> <p>"This proposal will save these courts for the enjoyment of future generations of tennis players." "I hope you will see fit to consider our community needs, so many would benefit from this, both for our physical and mental health!"</p>	<p>Regarding the Oakleigh Tennis Club proposal and other concerns raised in the Template, please see the Officers Response to the Template detailed in Table 1 of this Community Engagement Report.</p> <p>Additional comments are noted.</p>
SUB77	Not in Support	<p><u>Custom submission Content only:</u></p> <p>"Attn: Director City Development, Monash City Council I wish to object to the council's proposed sale of land on the grounds that the land is far more useful to the council, and the local people, as tennis courts. Oakleigh Tennis Club (OTC) has noted the increased booking out of tennis courts, and is prepared to organise booking and use of more courts, such as those on Atkinson road. It's not surprising that there is a high use of tennis courts. Recreational tennis is one of the most inclusive of all sports. From young children, to seniors in their 80s there is a very wide range of age</p>	

Attachment 7.1.7.1 Attachment 1 Sale of 14 16 Atkinson St Community Engagement Report

Submission Number	Sentiment	Submission Content	Officer Response
		<p>participation. All genders can, and do, participate in recreational tennis. There is also cultural diversity of players. I believe that this broad inclusivity is a vital recreational resource that should be supported by the council.</p> <p>Other sports, such as soccer or netball, are excellent, but also involve formal teams, times etc. Recreational tennis can be an informal and spontaneous physical activity, especially good for seniors. For the sake of healthy aging, wide inclusivity and local community participation I urge the council to keep the land and accept the proposal of the Oakleigh Tennis Club"</p>	<p>Regarding increased use of tennis courts at Oakleigh Tennis Club and community participation in tennis, please see Officers' Response for SUB68.</p> <p>For more information, please see the Officers Response to the Template as detailed in Table 1 of this Community Engagement Report.</p>
SUB83	Not in Support	<p><u>Template used, with additional comments as detailed:</u></p> <p>"Think about the community for once!!!"</p>	<p>Regarding the concerns raised in the Template, please see the Officers Response to the Template detailed in Table 1 of this Community Engagement Report.</p> <p>Additional comments are noted.</p>
SUB91	Not in Support	<p><u>Only part of the Template used:</u></p> <ul style="list-style-type: none"> "• The refurbishment of the 3 courts at 14-16 Atkinson Street would greatly assist in meeting this demand. • OTC has had a preliminary cost estimate of under \$200,000 for the refurbishment and conversion of the 3 former NOTC courts at 14-16 Atkinson Street to the same artificial grass that is in use at Caloola Reserve. • The club is in a sound financial position, and is both willing and able to offer \$100,000 toward the redevelopment of these courts. • Monash Council's 2019 Tennis Discussion Paper noted that the Chadstone, Ashwood and Burwood areas had by far the lowest court to population ratio (1:4039) in the entire Monash LGA, with only 1 club (5 courts) and 20,195 people. Refurbishment of these 3 courts will help redress that deficiency. • To put the refurbishment cost into perspective, these 3 courts can again become available for tennis usage for much less than 1% of the cost of the 18 courts at the new Monash Tennis Centre (which is over 9 kilometres away, so is not really "local" for the residents of Chadstone, Ashwood, Burwood or even Oakleigh). • These courts are compliant with Monash Council's size and spacing requirements, and the addition of an extra 3 courts to OTC's existing 8 courts at Caloola Reserve will allow the club to expand and diversify its tennis offerings even more than it is currently able to do. • This proposal will save these courts for the enjoyment of future generations of tennis players." 	<p>Regarding the concerns raised in the Template, please see the Officers Response to the Template detailed in Table 1 of this Community Engagement Report.</p>
SUB92	Assume Not in Support	<p><u>Template used, with additional comments as detailed:</u></p> <p>"This tennis club is ace! We need more courts because of the success of building new members and expanding the membership. We must support this club with the refurbishment of the 3 courts at the old North Oakleigh club so that our members all have a fair chance of playing and with the development of junior tennis that is going on down here, who knows we might have the next Ash Barty or Lleyton Hewitt in our midst!</p> <p>I've played in many clubs around the world including Lew Hoad's camp in Spain and you may have heard of a little club called Wimbledon in London. The access to courts is paramount for the players and development of the club and the refurbishment of these three courts would go a long way to helping all the members (over 650 now) plus others who book a court to be able to train and exercise in a game we love which in turn benefits us all with not only physical but also mental health benefits of our community."</p>	<p>Regarding proposed refurbishment of the courts and the other concerns raised in the Template, please see the Officers Response to the Template detailed in Table 1 of this Community Engagement Report.</p> <p>Additional comments are noted.</p>
SUB114	Not in Support	<p><u>Template used, with additional comments as detailed:</u></p>	<p>Regarding the concerns raised in the Template, please see the Officers Response to the Template detailed in Table 1 of this Community Engagement Report.</p>

Attachment 7.1.7.1 Attachment 1 Sale of 14 16 Atkinson St Community Engagement Report

Submission Number	Sentiment	Submission Content	Officer Response
		"Let's put people's good health & ensure Monash supports the upcoming tennis players."	Additional comments are noted.
SUB120	Not in Support	<p><u>Template used, with additional comments as detailed:</u></p> <p>"In addition to the above once this facility is lost to tennis and recreation for the benefit of the community it will never be replaced. I fully commend the above proposal to add to the ever expanding OTC that is one of the most vibrant user friendly clubs in Australia. The membership and public make great use of the current club facilities of courts and clubhouse and OTC had become a very important hub and one that is extremely popular and user friendly"</p>	<p>Regarding the facility and the other concerns raised in the Template, please see the Officers Response to the Template detailed in Table 1 of this Community Engagement Report.</p> <p>Additional comments are noted.</p>
SUB135	Not in Support	<p><u>Custom submission and part of Template used - Full submission shown below:</u></p> <p>"Attn: Director City Development, Monash City Council</p> <p>I note council's intention to sell that land and I consider the sale inappropriate!</p> <p>Councils exist for the community - all forms of the community, sporting clubs and non sporting people alike.</p> <p>I have travelled a little overseas where I have noticed the populations have used parkland and in the case of Japan some parks were almost standing room only. Melbourne is not yet in that situation but will be there in the future - this is why open space is important to keep.</p> <p>If you don't want the land for open space it ought be used by the sporting club which needs it - Oakleigh Tennis</p> <p>I wish to object to Monash Council's plan to sell the land situated at 14-16 Atkinson Street, Chadstone, being lots 124-127 (inclusive) on Plan of Subdivision LP8883 and comprised in certificates of titles volume 5465 folio 880, volume 4995 folio 905, volume 6331 folio 163 and volume 7508 folio 033 ('Land'), by an expression of interest process ('Proposal'). Instead, I urge Monash Council to support the proposal put forward by Oakleigh Tennis Club (OTC) to reinstate the courts with a new artificial grass surface and Book-A-Court system (the same as is currently in use at OTC's Caloola Reserve site). My reasons for supporting OTC's proposal are as follows:</p> <ul style="list-style-type: none"> • 14-16 Atkinson Street was the home of North Oakleigh Tennis Club (NOTC) from 1976 to 2019. • Prior to merging and relocating to Caloola Reserve in 2019, NOTC (3) and OTC (7) had a total of 10 courts and a combined membership 116." 	<p>Regarding open space and parkland, please see the Officer Response for SUB68.</p> <p>For further information and regarding the concerns raised in the Template, please see the Officers Response to the Template detailed in Table 1 of this Community Engagement Report.</p>

Attachment 7.1.7.1 Attachment 1 Sale of 14 16 Atkinson St Community Engagement Report

Submission Number	Sentiment	Submission Content	Officer Response
SUB141	Assume Not in Support	<p><u>Only part of the Template used:</u></p> <p>"• The club does its best to ensure as many courts are available for competition tennis, coaching, organized social tennis and casual bookings by both members and non-members, but with only 8 courts and an ever-increasing demand, this is becoming more difficult all the time, especially on weekends when both competition tennis and social tennis are very popular.</p> <ul style="list-style-type: none"> • OTC has recently been forced to start hiring outside courts to satisfy weekend demand. • The refurbishment of the 3 courts at 14-16 Atkinson Street would greatly assist in meeting this demand. • OTC has had a preliminary cost estimate of under \$200,000 for the refurbishment and conversion of the 3 former NOTC courts at 14-16 Atkinson Street to the same artificial grass that is in use at Caloola Reserve. • The club is in a sound financial position, and is both willing and able to offer \$100,000 toward the redevelopment of these courts. • Monash Council's 2019 Tennis Discussion Paper noted that the Chadstone, Ashwood and Burwood areas had by far the lowest court to population ratio (1:4039) in the entire Monash LGA, with only 1 club (5 courts) and 20,195 people. Refurbishment of these 3 courts will help redress that deficiency. • To put the refurbishment cost into perspective, these 3 courts can again become available for tennis usage for much less than 1% of the cost of the 18 courts at the new Monash Tennis Centre (which is over 9 kilometres away, so is not really "local" for the residents of Chadstone, Ashwood, Burwood or even Oakleigh). • These courts are compliant with Monash Council's size and spacing requirements, and the addition of an extra 3 courts to OTC's existing 8 courts at Caloola Reserve will allow the club to expand and diversify its tennis offerings even more than it is currently able to do. • This proposal will save these courts for the enjoyment of future generations of tennis players." 	Regarding the concerns raised in the Template, please see the Officers Response to the Template detailed in Table 1 of this Community Engagement Report.
SUB142	Not in Support	<p><u>Template used, with additional comments as detailed:</u></p> <p>"As a frequent user of the park, it will be nice to see the surrounds come to life and be more family friendly."</p>	Regarding the concerns raised in the Template, please see the Officers Response to the Template detailed in Table 1 of this Community Engagement Report. Additional comments are noted.
SUB148	Not in Support	<p><u>Template used, with additional comments as detailed:</u></p> <p>"As a resident of Monash for the last 33 years, I wish to object to Monash Council's plan to sell the land situated at 14-16 Atkinson Street, Chadstone. Further to the concerns below, I would also like to highlight the issue with adding more traffic to Atkinson Road, which is already over-developed and subject to traffic issues due to the nearby Salesian College, multitude of townhouses on a narrow road and the overuse of Atkinson Road as an alternative to Warrigal Rd. Any further development would only further exacerbate an already poorly-managed congestion and traffic zone. Furthermore, the lack of available tennis facilities at other nearby courts makes these existing three courts perfectly suited to meet demand in the cheapest manner possible."</p>	Regarding the concerns raised in the Template, please see the Officers Response to the Template detailed in Table 1 of this Community Engagement Report. Traffic concerns are noted.
SUB149	Not in Support	<p><u>Template used, with additional comments as detailed:</u></p> <p>"Tennis Victoria is available to be consulted, where required, throughout the project to assist in delivering the much needed additional tennis courts, that will be of great benefit to both the club and the local community. Following the completion of the project, Jim Lekkas, Club Development Officer, Metro Inner South, will continue to work closely with the Monash Council and the Oakleigh Tennis Club Tennis Club to capitalise on the upgraded facility to ensure the venue's longer term sustainability and utilisation.</p>	Regarding the concerns raised in the Template, please see the Officers Response to the Template detailed in Table 1 of this Community Engagement Report. Additional comments are noted.

Attachment 7.1.7.1 Attachment 1 Sale of 14 16 Atkinson St Community Engagement Report

Submission Number	Sentiment	Submission Content	Officer Response
		If you require any further clarification please do not hesitate to contact me at any time."	
SUB154	Not in Support	<p><u>Template used, with additional comments as detailed (likely in error):</u></p> <p>"STEP 4 Add your name at the end of the email.</p> <p>STEP 5. Send the email.</p> <p>If you wish to add further comments or make changes to the body of the email, please feel free to do so, but do not change the email Address, the email Subject, or the Attn; or the email will not be accepted by council.</p> <p>A copy of your email will also be sent to president@oakleightennisclub.com.au, so we can keep a count of how many submissions have been sent to council.</p> <p>More details about our proposal can be seen by clicking on the link to the following document:</p> <p>COURT REFURBISHMENT PROPOSAL.pdf</p> <p>More details about council's intentions can be seen at:</p> <p>https://www.monash.vic.gov.au/About-Us/Public-Notices/Intention-To-Sell-Land-14-16-Atkinson-Street-Chadstone</p> <p>Thank you for your support.</p> <p>OAKLEIGH TENNIS CLUB Australian Government - Australian Sports Commission Tennis Australia © Sportlabs Technology Ltd 2023"</p>	<p>Regarding the concerns raised in the Template, please see the Officers Response to the Template detailed in Table 1 of this Community Engagement Report.</p> <p>Additional comments are noted.</p>

Sale of 14-16 Atkinson St, Chadstone - Community Engagement Report

Appendix A – Template

Attr: Director City Development, Monash City Council

I wish to object to Monash Council's plan to sell the land situated at 14-16 Atkinson Street, Chadstone, being lots 124-127 (inclusive) on Plan of Subdivision LP8883 and comprised in certificates of titles volume 5465 folio 880, volume 4995 folio 905, volume 6331 folio 163 and volume 7508 folio 033 ('Land'), by an expression of interest process ('Proposal').

Instead, I urge Monash Council to support the proposal put forward by Oakleigh Tennis Club (OTC) to reinstate the courts with a new artificial grass surface and Book-A-Court system (the same as is currently in use at OTC's Caloola Reserve site).

My reasons for supporting OTC's proposal are as follows:

- 14-16 Atkinson Street was the home of North Oakleigh Tennis Club (NOTC) from 1976 to 2019.
- Prior to merging and relocating to Caloola Reserve in 2019, NOTC (3) and OTC (7) had a total of 10 courts and a combined membership 116.
- OTC's membership has since grown to 650, but Caloola Reserve only has 8 courts.
- The club has done an outstanding job of promoting tennis in the local area, as the following statistics show.

>>> 650 Members as of June 30, 2023.

>>> 469 Non-members also booked a court during 2022-23.

>>> 11808 Individual court bookings during 2022-23.

>>> 22451 Total court hours booked during 2022-23.

>>> 7.68 Average booked hours per day for each court during 2022-23.

- The club does its best to ensure as many courts are available for competition tennis, coaching, organized social tennis and casual bookings by both members and non-members, but with only 8 courts and an ever-increasing demand, this is becoming more difficult all the time, especially on weekends when both competition tennis and social tennis are very popular.
- OTC has recently been forced to start hiring outside courts to satisfy weekend demand.
- The refurbishment of the 3 courts at 14-16 Atkinson Street would greatly assist in meeting this demand.
- OTC has had a preliminary cost estimate of under \$200,000 for the refurbishment and conversion of the 3 former NOTC courts at 14-16 Atkinson Street to the same artificial grass that is in use at Caloola Reserve.
- The club is in a sound financial position, and is both willing and able to offer \$100,000 toward the redevelopment of these courts.
- Monash Council's 2019 Tennis Discussion Paper noted that the Chadstone, Ashwood and Burwood areas had by far the lowest court to population ratio (1:4039) in the entire Monash LGA, with only 1 club (5 courts) and 20,195 people. Refurbishment of these 3 courts will help redress that deficiency.
- To put the refurbishment cost into perspective, these 3 courts can again become available for tennis usage for much less than 1% of the cost of the 18 courts at the new Monash Tennis Centre (which is over 9 kilometres away, so is not really "local" for the residents of Chadstone, Ashwood, Burwood or even Oakleigh).
- These courts are compliant with Monash Council's size and spacing requirements, and the addition of an extra 3 courts to OTC's existing 8 courts at Caloola Reserve will allow the club to expand and diversify its tennis offerings even more than it is currently able to do.
- This proposal will save these courts for the enjoyment of future generations of tennis players.

Appendix B – Oakleigh Tennis Club Refurbishment Proposal Document





- Oakleigh Tennis Club's membership has risen to 650 (from a combined Oakleigh/North Oakleigh Tennis Club membership of 116) since moving to Caloola Reserve at the start of 2019.
- The demand for courts (for competition, social tennis, member & non-member casual bookings) has never been higher.
- More courts are needed to keep up with demand.
- **OTC proposes refurbishment of the 3 former North Oakleigh Tennis Club courts (pictured above), with conversion to the same artificial grass surface and the addition of the Book-A-Court system as are currently in use at Caloola Reserve.**
- Estimated cost (preliminary quote obtained) < \$200,000.
- **OTC commits \$100,000 of club funds to this refurbishment.**
- OTC asks Monash Council to support this proposal.

Sale of 14-16 Atkinson St, Chadstone - Community Engagement Report

FURTHER DETAILS & HISTORY

- In 2019, Oakleigh Tennis Club (OTC) relocated from Park Road to Caloola Reserve, so Monash Council could have the maximum land available for the Oakleigh Recreation Centre's redevelopment and expansion.
- In 2019, North Oakleigh Tennis Club (NOTC) also relocated to Caloola Reserve and merged with Oakleigh Tennis Club.
- At the time of merging, the two clubs had a combined membership of 116 and a total of 10 courts (OTC 7, NOTC 3) between them.
- Now, OTC has 650 members, and our Caloola Reserve home consists of 8 courts.
- The club has done an outstanding job of promoting tennis in the local area, as the following statistics show.
 - ✓ 650 Members as of June 30, 2023.
 - ✓ 469 Non-members also booked a court during 2022-23.
 - ✓ 11808 Individual court bookings during 2022-23.
 - ✓ 22451 Total court hours booked during 2022-23.
 - ✓ 7.68 Average booked hours per day for each court during 2022-23.
- Demand for courts (for competition, social tennis, coaching and non-member casual hire) has never been higher, and continues to increase.
- OTC has recently had to start hiring outside courts to satisfy weekend demand.
- OTC wants to be able to service the increasing demand for courts, but fears it will soon be forced to limit the number of new memberships, competition team numbers (45 teams entered in 2022-23), social tennis sessions, member & non-member casual bookings, or a combination of all these measures.
- OTC wants to promote tennis to everyone, not have to restrict players' access due to court number limitations.
- OTC proposes the refurbishment of the 3 still-unused former NOTC courts (at 14-16 Atkinson Street, Chadstone, pictured above) with the same artificial grass specification and Book-A-Court system that is successfully in use at Caloola Reserve.
- These courts are compliant with Monash Council's size and spacing requirements, and the addition of an extra 3 courts to OTC's existing 8 courts at Caloola Reserve will allow the club to expand and diversify its tennis offerings even more than it is currently able to do.
- OTC has had a preliminary cost estimate of under \$200,000 for the refurbishment and conversion of the 3 former NOTC courts to artificial grass.
- OTC has proven over the past 4 years that it has a sustainable financial model, which can grow memberships, team entries, social use, casual hire and coaching, whilst giving all participants fair use of the courts.
- However, with only 8 courts, the club's ability to continue to meet current and future demand is now in jeopardy.
- OTC has been working on this proposal for some time and has committed \$100,000 to its success.
- Monash Council's 2019 Tennis Discussion Paper noted that the Chadstone, Ashwood and Burwood areas had by far the lowest court to population ratio (1:4039) in the entire Monash LGA, with only 1 club (5 courts) and 20,195 people. Refurbishment of these 3 courts will help redress that deficiency.
- The estimated cost is much less than 1% of the cost of the new Monash Tennis Centre.
- This proposal will save these courts for the enjoyment of future generations of tennis players.

Appendix C – Public Notice


Intention To Sell Land: 14-16 Atkinson Street, Chadstone

No longer on display. Expired on 17 July 2023, 05:00 PM

Notice of intention to sell land

MONASH CITY COUNCIL ("Council") gives notice under section 114 (2) of the Local Government Act 2020 ("the Act") of its intention to sell its land situated at **14-16 Atkinson Street, Chadstone**, being lots 124-127 (inclusive) on Plan of Subdivision LP8883 and comprised in certificates of titles volume 5465 folio 880, volume 4995 folio 905, volume 6331 folio 163 and volume 7508 folio 033 ("Land"), by an expression of interest process ("Proposal").

The Land is shown outlined red in the below aerial image.



In accordance with the Monash Community Engagement Policy ("the Policy"), a person may make a submission in respect of the Proposal.

Pursuant to the Policy, any person wishing to make a submission must do so in writing so that the **submission is received** no later than **5:00pm on Monday, 17 July 2023**.

A person making a submission is entitled to request in their submission that they wish to appear in person, or to be represented by a person specified in the submission, to be heard in support of the submission before Council (or a committee established by Council for this purpose). If a person wishes to be heard in support of their submission, they must include this request to be heard in their written submission.

All submissions must quote Reference "F19-10119.011" and be addressed to:

Director City Development, Monash City Council, and:

- sent by post to: PO Box 1, Glen Waverley, VIC 3160
- or emailed to: mail@monash.vic.gov.au

In accordance with the Policy, hearings will take place at a meeting of the Council or its committee at 6.30pm on 16 August 2023 at the Monash City Council Civic Centre, 293 Springvale Road Glen Waverley.

Any person making a written submission in accordance with the Policy is advised that all submissions and personal information in the submission will be handled by Council in accordance with the provisions of the Privacy and Data Protection Act 2014.

Following consideration of submissions, Council will decide whether to proceed with the Proposal.

Enquiries to: Mark Gibson, Manager Property and City Design, 9518 3025, or email mark.gibson@monash.vic.gov.au

DR ANDI DIAMOND
Chief Executive Officer

Contact details

Mark Gibson, Manager Property and City Design
9518 3025
mark.gibson@monash.vic.gov.au