

## 10.15.Primrose Park Tennis Court - Service Review and Tender

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<b>ATTACHMENTS</b>	1. Primrose Park - Tennis Court Service Review [10.15.1 - 27 pages] 2. CONFIDENTIAL - Tender Summary - Primrose Park Tennis Courts Lease [10.15.2 - 1 page]
<b>CSP LINK</b>	2. Our Built Infrastructure 2.1 Infrastructure and assets meet diverse community needs

### PURPOSE:

The purpose of this report is to advise Council in relation to the outcome of a recent service review of the Primrose Park Tennis courts, and recommendations to progress the tender for lease and management of this facility.

### EXECUTIVE SUMMARY:

- At its meeting of 28 August 2023, Council resolved to conduct service level reviews for all sporting, recreation, and community assets be submitted to Council prior to any new leasing or licensing of these facilities.
- A tender for the lease of the Primrose Park Tennis Courts was in progress at the time of the Council resolution. This process was put on hold pending the outcome of a service review of the facility.
- The service review is now complete and provides advice that Council can adopt in the tender process to ensure that use of facility is maximised, and that the incorporation of other uses are considered as part of the future lease agreement.
- That Council should consider the potential to increase utilisation of the facility by other sports as a part of future capital works upgrades and that the proposed lease term should incorporate consideration of this as outlined within the Service Review.

### RECOMMENDATION:

**1.THAT** Council notes the contents of the Service Review for Primrose Park Tennis Courts and the recommendations made therein;

**2.THAT** Council notes that a lease arrangement is recognised as the most effective and efficient mechanism for managing the Primrose Park Tennis Courts;

**3.THAT** Council continues to manage Primrose Park Tennis Courts through a lease to a private operator for the next five years;

**4.THAT** Council close the current tender process (Tender 2/2023) and invite fresh tenders on a selective basis from the proponents that already submitted applications for Tender 2/2023 in accordance with Clause 178(3) of the NSW Local Government (General) Regulation;

**5.THAT** Council notes that the tender for the lease of Primrose Park Tennis Courts will include criteria for proponents to increase utilisation of the facility by other sports that have a known shortfall across the Local Government Area; and

**6.THAT** the proposed lease term be coordinated to coincide with the renewal of the synthetic surface of the courts at Primrose Park.

**7.THAT** Council notes that a further report will be brought back to Council in relation to the outcome of the tender for the lease of Primrose Park Tennis Courts

## Background

At its Ordinary meeting of 28 August 2023, Council resolved:

- 1. THAT Council note that an Open Space and Recreation needs study is currently being undertaken to inform a new Open Space and Recreation Strategy which will set direction in relation to service levels and infrastructure.*
- 2. THAT given the high demand for sporting, recreational and community facilities within the North Sydney Local Government Area, a service level review for all sporting, recreation and community assets be submitted to Council prior to any new leasing or licensing contracts being considered. The service level review should include but not be limited to consideration of the following:*
  - i. Is the current use of the property/facility the highest and/or best use of the property/facility.*
  - ii. Is the property/facility able to be adapted to accommodate multiple/different sporting, recreational and/or community services.*
  - iii. Is Council in a position to manage the property/facility itself.*
  - iv. Could the property/facility be leased to multiple lessors.*

This report responds to part 2 of the above Resolution.

The Primrose Park Tennis Courts are located on the Northern side of Neutral Bay and Cremorne. Constructed in 1985, the facilities comprise of four floodlit (synthetic grass) tennis courts, a pro shop, and amenities.

A condition assessment of the facility in 2019 resulted in capital works investment of \$2.2m to upgrade the facility. Importantly the synthetic surface was renewed as part of these, effectively resetting the asset renewal timetable for the facility.

The facility is currently managed under a commercial lease to a private operator, who provides private coaching tennis programs and facilitates the hire of the courts to community organisations and members of the public.

The current lease expired on 28 October 2023 and is currently subject to an open tender process, which has been extended through to January 2024 and then on a month-to-month basis to accommodate the service review process.

## Report

An independent service review of the process was recently undertaken in response to the Resolution of the Council on the 28 August 2023. A copy of this report is attached herein.

## Current usage

The report notes that the use of the space for tennis is consistent from a policy and strategic perspective.

However, Council is currently in the process of developing a recreation needs analysis, which will inform the development of Council's Open Space and Recreation Strategy. It is anticipated that this strategy will be completed by mid-2024.

Extension of the site is currently restricted by existing improvements and topography. The site has been the subject of recent capital investment primarily focused on tennis, which has a residual asset life of five years. Therefore, Council would not undertake any major reconfiguration of the site until at least 2028 if it wants to maximise the asset lifecycle and investment.

Utilisation notes based on typical weekly usage data indicates that the facility is achieving 80%-90% occupancy during "peak" times, however this falls to 30%-50% occupancy for "off-peak" times. This may present an opportunity to increase utilisation for other sports through minor changes or modifications to the existing facilities.

#### Facility Adaptability

The Review notes that the layout and current surfaces limits the opportunities for use by other sports. Modifications could yield additional utilisations, however these would need to be considered to ensure existing usage is not impacted.

The facility may be able to accommodate other sports and increased utilisation through more substantial modifications to the facilities however these would be more appropriate at the end of the useable life of the current synthetic surface.

#### Management of the current facility

A lease provides Council with a cost-effective arrangement for managing the site and is also a mechanism that can be used to ensure equity of access and utilisation. Council does not currently manage these types of facilities and the incorporation of this facility into current operations would not provide a more efficient model in the short term. However, Council may investigate a more global management of its sporting facilities as part of the Open Space and Recreation Strategy.

#### Multiple Site Lease

The current arrangement leases the facility to a single operator. Given the size of the site and resources required to manage multiple users, this is probably the most efficient model to manage this facility. However, the lease could be provisioned to allow sub-leasing and this should be considered where there is opportunity to increase utilisation or access for other sports.

#### Conclusion

The Service Review concludes that the current lease model is the most efficient and effective way to manage the site and that the lease provides Council with a mechanism to encourage

operations to facilitate access for other sports and increased utilisation, albeit this is to some extent restricted by the current usage and current improvements on the site.

There is an opportunity to increase the utilisation of the site by other sports, however, this should be considered when the current synthetic surface is at the end of its usable life. Council should ensure that any lease agreement aligns with this timetable.

### Current Lease

The lease of the Primrose Courts is the subject of a tender process, which was put on hold pending the outcome of this review. Tender proponents were notified in this regard.

Clause 178(3) of the NSW Local Government (General) Regulation gives a council six options where it either accepts none of the submitted tenders or receives no tenders. The options are:

1. postpone or cancel the proposal for the contract.
2. invite fresh tenders, either open or selective, based on the same or different details.
3. invite fresh applications by public advertisement (clause 168) from persons interested in tendering for the proposed contract.
4. invite fresh applications from recognised contractors listed by council (clause 169) interested in tendering for contracts of the same kind as the proposed contract.
5. enter into direct negotiations with any person with a view to entering into a contract in relation to the subject matter of the tender.
6. carry out the requirements of the proposed contract itself.

Council currently has a tender process 'on-foot', and submissions from appropriately qualified and experienced providers, details of which are provided in the confidential attachment of this report.

It is proposed to close the current tender process and invite fresh tenders on a selective basis from the proponents who have already submitted applications for the previous lease, in accordance with Clause 178(3) of the NSW Local Government (General) Regulation. The new tender will include criteria for proponents to propose potential other usage and increase utilisation.

### **Consultation requirements**

No external consultation was conducted to inform this report. However, the current operator of the facility was engaged by the appointed consultant in relation to this review.

### **Financial/Resource Implications**

There are no financial implications for the Council in endorsing the recommendation of this report.

## **Legislation**

The tender process is being undertaken in accordance with the requirements of the NSW Local Government Act (1993) and the NSW Local Government (General) Regulation 2021.



# Primrose Park Tennis Court Service Review



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**Document Control**

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## Executive Summary

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The Primrose Park Tennis Facility (Cremorne) has recently received a significant upgrade (2021) and the current lease term is due to expire. North Sydney Council (NSC, Council) has a tender process for establishing a new lease. Prior to leasing the site Council is seeking a best use case of the current facility, that may also impact conditions within the lease.

Specifically, Council wishes to address the following questions:

- Is the current use of the property/facility the highest and/or best use of the property/facility?
- Is the property/facility able to be adapted to accommodate multiple/different sporting, recreational and/or community services?
- Is Council in a position to manage the property/facility itself?
- Could the property/facility be leased to multiple lessors?

This report provides a 'desktop assessment' of current use, site adaptability, management capabilities, and leasing potential to inform Council decisions. In considering the best use of the Primrose Park Tennis Courts, the following key points are noted:

- The facility was recently upgraded (in 2021) via a commonwealth government investment of approximately \$2.2m.
- The upgrade has renewed the remaining life of key assets with future renewal and utilisation to be centred around surface renewal (typically around every 7 years for a synthetic grass surface) placing the first renewal in 2028/9 and the second in 2035/36.
- The facility is currently managed under a tendered contract format (currently in a hold over period) to provide casual and programmed use for Tennis.
- According to utilisation data from the current lessee, the facility appears to be well-attended during traditional peak times, primarily through its contemporary tennis programs. However, this assessment is limited to the data provided in good faith with no current requirement to provide attendance or utilisation information under the existing lease.
- The site has limited opportunities for isolated re-development and use for alternative sport and recreation facilities due to its functional footprint and accessibility constraints. Any changes would require more technical investigations and stakeholder engagement.
- Pertinent needs identified in local and regional sport and recreation planning studies have included tennis, hockey and (football) soccer<sup>1</sup>. Other options include netball, pickleball and basketball.
- Council intends to review and update its Open Space and Recreation Plan over the next 12-18 months which will provide updated demand analysis and strategic recommendations for its Open Space and will provide updated context in which to further examine future site options.

### Best Use Case Recommendations

Given the opportunities and constraints of the site, the recent investment in key assets and management efficiencies a best value approach is recommended as follows:

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<sup>1</sup> Small sided versions could be accommodated in the space

- Facilitate a new lease for the management of the facility with a term of five years (2024-2029) and options in Council’s favour for a further 5+5 years.
  - The new lease should encourage the operator to introduce new/alternative uses and user types where possible and demonstrate how they will actively drive, monitor and report upon site utilisation. This would see a revised ‘activity-based’ contract that builds upon the current ‘property-based’ performance measures to be included within the lease clauses.
- When the current surface reaches the end of its life (circa 2028), renewal of the surface, Council staff in partnership with the contractor consider alternative surfaces to facilitate broader uses drawing upon intercept surveys.
- Prior to the execution of the first lease option and/or second surface replacement (circa 2033), consider redevelopment options for the site based on contemporary needs assessment (evidenced and supported by the to be developed updated Open Space and Recreation Study 2024/5)
  - Should the assessment identify better value uses, terminate the lease and implement an appropriate re-development plan and associated community & stakeholder engagement

The figure below presents a sample time horizon of the management and site development milestones to support the best use case recommendations summary.

Figure - Suggested Approach and Timeline



## 1. Site Background & Planning Context

The Primrose Park Tennis Facility (Cremorne) has recently received upgrade (2021) and the current lease term is due to expire. North Sydney Council (NSC, Council) has a tender process for establishing a new lease. Prior to leasing the site Council is seeking a best use case of the current facility. This report provides a 'desktop assessment' of its current use, adaptability, management capabilities, and leasing potential to inform Council decisions. The following subsections set out key features and contextual information relevant to the site and pertinent to the review.

### 1.1. Site and Land Parameters

#### 1.1.1. Site Definition and Background

Primrose Park Tennis Courts are located on the northern side of Neutral Bay and Cremorne at our historic Primrose Park and lies within folio identifier Lot 100 in Deposited Plan 727041. The tennis court footprint measures 3,325m<sup>2</sup>. The site plan below shows the position of the courts within Primrose Park and adjacent to the Arts Centre.

Figure 1 - Site Plan



Initially constructed in 1985/1986, Primrose Park Tennis facilities comprised of 4 x floodlight 'synthetic grass' tennis courts, which was fenced with a 3.6m chain wire fence; a Tennis Pro-shop which also contained male and female toilets and showers along with an outdoor barbecue area. Approximately 10 years ago, the courts were resurfaced, and the floodlights upgraded.

The North Sydney Council area has a long foreshore of which over half is open space, however the area is disadvantaged by the topography which places restrictions on the provision of level open



areas suitable for playing fields. The playing fields at Primrose Park are established on reclaimed foreshore lands. (North Sydney Council , 2009). The Primrose Park Tennis facilities are in close proximity to the Primrose Park Art & Craft Centre that has documented historical & cultural significance.

### 1.1.2. Current Facility

The tennis court site is elevated above the adjacent sportsgrounds via a retaining wall 3-4m in height. Stair access links the two ground levels. The top floor of the adjacent arts building, pro-shop and carpark are on the same level as the tennis complex concourse, although the courts themselves are raised a further 1.5m (approx.) above the concourse level and are accessed via stairs.

In 2019/2020, a study on the conditions of the tennis courts were undertaken which resulted in a major demolition and re-development of the site costing approximately \$2.2m funded through a commonwealth government grant. The new tennis facilities at Primrose Park include:

- New concrete slab underneath the tennis courts and associated piling
- Four new tennis courts surfaced with new synthetic grass and line marking
- New nets, fencing, seating, and shelters
- New tennis court lights to comply with current regulations
- New electronic court access control system
- Upgraded male/female toilet and change facilities
- Upgraded shop facilities
- New outdoor seating and a communal BBQ area
- A new 'hit up wall' at the western end of the courts
- A small new children's playground
- Drainage improvements to address previous drainage issues in and around the courts
- New footpaths, landscaping, and paving in and around the courts

The images below provide a snapshot of current facilities and condition.

Figure 2 - Facility Photos





The redevelopment project has 'reset' the asset renewal timeline for key assets within the facility. This means that major renewal expenditure will not be required in the medium to long term and represents a significant (and appropriate) infrastructure investment in this site. The first major maintenance/renewal upgrade required will be for the courts surface which typically requires replacement from year 7 onwards. That would place the first renewal around 2028 and the second in 2035.

## 1.2. Land Status & Zoning

Primrose Park is Crown Land under the management of North Sydney Council as its Crown Land Manager in accordance with the Crown Lands Management Act 2016. Further details on how this area of Crown Land is managed is addressed in Section 1.41.4 of this report.

Primrose Park is Zoned as RE1 Public Recreation and E2 Environmental Conservation within the North Sydney Council Local Environmental Plan (2013). The E2 zone applies to current bushland on the site and the entirety of the Tennis Facility is within the RE1 zone in which the Tennis Facility is located.

**Key considerations:** this review considered that any changes to the land tenure or zoning to be both unnecessary and unlikely in the short term due to the city-wide scale of rezoning processes and the unlikely scenario and cascading implications of any changes land tenure. The implications of any such changes would normally be considered during city wide open space planning studies. A North Sydney Council Open Space Recreation & Needs Strategy has been identified and recently advertised for engagement in 2023/24. The sites current use and development is considered appropriate within the city land use zoning context.

## 1.3. Open Space & Land Planning Considerations

This section examines the open space and land planning considerations for Primrose Park Tennis Facilities. Examining the planning context provides a sound basis to consider assess the existing uses and their alternatives.

Local councils often engage in systematic needs assessments to guide the planning and development of public spaces. This typically entails:

- Surveys, public consultations, and demographic analyses to ascertain the recreational and sporting needs of the community.

- Creating comprehensive inventories of green spaces and recreational lands to evaluate their current condition, usage, and potential for urban planning.

To this end, the following documents prepared for North Sydney Council provide a sound basis for the subject site's best use assessment whilst giving consideration of the wider open space network of Local Government Area, including:

- Open Space Provision Strategy (2009)
- Review of Supply and Demand for Sports Facilities in the NSROC Region (2023)
- North Sydney Recreation Needs Study (2015)

A summary of each strategy and study is provided below;

### 1. Open Space Provision Strategy 2009:

- *Context:* This strategy identifies the classification of parks and their roles within the North Sydney Council area.
- *Implications:* supports the case for retaining and leasing the tennis court facility in Primrose Park. Key reasons include catering to the young adult demographic, supports the increasing density and development, growing population, and appropriately manages daily visitors. The facility's intention to promote sports, boost community interaction and enhance quality of life is consistent with the best use recommendations. It is anticipated that it would also be aligned with open space principles considered in the future update of this strategy.

### 2. Review of Supply and Demand for Sports Facilities in the NSROC Region 2023:

- *Context:* Amongst other things, this strategy aims to coordinate a regional approach to supply and demand issues, so that resources and funds can be targeted to maximise benefits for the NSROC community as a whole. The review considers supply and demand for facility types including playing fields, indoor courts; 'indoor speciality'; outdoor courts; and 'outdoor speciality'.
- *Implications:* Amongst other things, the review found that the NSC area has a shortfall in the provision of all facility types including outdoor courts, whereas neighbouring LGAs of Willoughby and Mosman both had an oversupply of outdoor courts, as did the NSROC region overall. The best use case recommendations are consistent with the implications of this regional sports facility review.

### 3. North Sydney Recreation Needs Study 2015:

- *Context:* This study reviews the state of recreation in North Sydney, analysing current facilities, participation rates, and emerging demands.

**Implications:** There has been a loss of sports facilities, particularly tennis courts and bowls greens in North Sydney. Despite this, there is a notable demand for tennis, which current facilities cannot satisfy. While there are pressures on clubs due to changing use patterns and facility aging, there are also opportunities, such as increasing the usage of existing facilities by introducing multi-lines on outdoor courts and supporting multi-code clubs to enhance shared use and appropriate renewal of

existing facilities such as the work carried out at the subject site that typically results in an increase in local use cases. The best use case recommendations are consistent with the implications of the North Sydney Recreation Needs study and take a pragmatic account for the suggested activation strategies. All three studies emphasise the significant role of sports and recreation in the North Sydney area. With the changing demographics, rising population, and evolving sports participation patterns, these studies express a pressing need to adapt and enhance the region's recreational infrastructure. Specifically, the demand for tennis facilities is highlighted across all studies, emphasising its importance in meeting community needs. Additionally, collaboration with governmental bodies, adapting to modern sports participation trends, and efficiently using existing spaces are strategies presented to cater to the region's growing recreational demands.

**Key considerations:** Since the preparation of Council's RNS and the OSPS, North Sydney and the broader Sydney metropolitan area have undergone rapid change. The demographics of the North Sydney LGA have changed, as have sporting and recreation trends and preferences. Open space has been lost in North Sydney, new open space has been gained, and works to increase capacity and increase recreation opportunities have been undertaken in many parks and reserves. An updated Open Space Recreation & Needs Strategy has been identified and recently advertised for engagement in 2023/24 and is anticipated to be completed in 2024/25. A common thread that runs through each of these strategies however is the ongoing demand for adequately provisioned and maintained tennis courts provided at Primrose Park Tennis facilities.

It is anticipated that this is likely to remain the case in the updated Open Space & Recreation Needs Study. The contextual and relative priority of this latent demand, however, when considered in comparison to other competing recreation and open space demands is unknown until this study is complete.

The best use case recommendations address the short-term desire to better activate the site and monitor the activation strategies such as mutually agreed utilisation performance targets and more active monitoring.

#### 1.4. Statutory Community & Crown Land considerations

The North Sydney Council's "Sportsground Plan of Management (2017)" permits the use of tennis facilities at the subject site (Primrose Park). A Plan of Management is a key document satisfying public land legal frameworks for Council-owned and managed parks and reserves in future years. Their objectives include:

- Fulfilling Council's obligations for public land management as per Section 36 of the Local Government Act 1993 and the Crown Land Management Act 2016.
- Addressing requirements of the Native Title Act 1993 concerning Crown land management.
- Facilitating Council's ability to re-negotiate or initiate leases, licenses, and other use agreements.

Typically updated every 5 to 10 years, these Plans of Management provide clear, concise guidelines for both short-term and long-term management of all Council-controlled land. The North Sydney Council Sportsground Plan of Management ensure the identified public land listed within cater to both organised sports and casual recreational activities in North Sydney. It encompasses all sportsgrounds, including related structures such as tennis courts, clubhouses, change rooms, and other amenities. The Plan articulates current sportsground conditions, planning trajectories, and



renewal priorities, harmonising with North Sydney Council's overarching recreational planning objectives as well as relevant infrastructure renewal.

The Sportsground Plan of Management also notes most sportsgrounds lie on Crown land. The Plan accentuates sustainable, community-centric management, prioritising recreation while mitigating disturbances to nearby residents.

Primrose Park Tennis Facility features in the Plan, noting the four floodlit tennis courts and support of other sports like cricket, football, and hockey at this location and is recognised as a District-level facility, integral to North Sydney's sports infrastructure.

The Leasing and Licenses of land is permitted in the Sportsground Plan of Management. While leases pertain to group usage, licenses cover broader, non-exclusive uses. Such regulations ensure responsible and community-beneficial utilisation of sportsgrounds.

The North Sydney Council Sportsground Plan of Management underscores the pivotal role of sports facilities in community development, health, and well-being, with Primrose Park exemplifying the Council's dedication to serving varied community needs. Primrose Park, with its floodlit tennis courts and multifunctional facilities, serves as a prime example of the Council's commitment to meeting diverse community needs.

**Key considerations:** the sports ground plan of management is due for review and update over the next four years. The review and update of this plan of management will have the benefit of drawing from an updated Open Space Recreation & Needs Strategy which has recently been advertised for completion in 2023/24. The updated Plan of Management will continue to fulfill council's obligations for public land management as per Section 36 of the Local Government Act 1993 and the Crown Land Management Act 2016. Plans of Management typically consider the existing site uses and values which are almost certain to remain consistent with the site objectives and values described in the current Plan of Management. The recommendations of this report are consistent with these statutory land management obligations. The recommendations take best advantage of permitted lease provisions.

### 1.5. Site specific planning considerations

The recent redevelopment of the site is consistent with the recommendations, advice and considerations listed in the city-wide recreation and open space planning studies as well as the current land management objectives and supporting documentation.

Both the site's permitted use and contextual appropriateness from an open space network and LGA community land investment perspective are considered to benefit from an effective use optimisation management model such as medium to long term lease that is suitably timed with facility renewal interventions and includes mutually agreed and set utilisation targets and review periods.

Site specific strategic planning tools such as master plans are an effective means to ensure that community lands are used efficiently through community engaged design processes that consider the contemporary open space planning analysis and input. Due to significant previous investment in planning activities for this site including open space planning and category plan of management documents coupled with significant organisational knowledge concerning existing site constraints

and facility condition, it is considered a master plan would not have been warranted prior to the renewal of the existing courts.

**Key considerations:** a master plan for this site may be considered in the future following the preparation of an updated Sports Ground Plan of Management or following the completion of the Open Space Recreation & Needs Strategy. A master plan may be considered necessary if contemplating any major site development, changes to existing use patterns or significant forecasted increase in site utilisation given the multiple sites uses, stakeholder's and the cultural and heritage values of Primrose Park.

## 1.6. Stakeholder Engagement

**Historical Engagements:** based on the studies and plans presented, it is evident that the North Sydney Council prioritises stakeholder engagement in its open space land planning endeavours. Open Space, Recreation and Sporting activity planning documents related to this site embed industry current practice and statutory engagement with the community.

1. **Open Space Provision Strategy (2009):** The crafting of this strategy would have necessitated the collation of input from local residents, sports enthusiasts, and environmental advocates. The emphasis on catering to diverse demographic needs, especially young adults, and the prioritisation of quality-of-life enhancements, points to a comprehensive consultation process that assessed the needs and aspirations of the North Sydney community.
2. **North Sydney Recreation Needs Study (2015) & Review of Supply and Demand for Sports Facilities in the NSROC Region (2023):** These studies included detailed analysis of current facilities, participation rates, and emerging demands included broad-based consultation process that encompassed interaction with frequent users of recreational facilities, local sports associations, and other groups with a stake in the community's recreational infrastructure.

**Statutory Engagements:**

**Both the Sportsground Plan of Management (2017) and Foreshore Parks and Reserves Plan of Management (2017)** underscore Council is commitment to balancing the needs of organised sports with casual recreational and organised sporting activities. This balance demonstrates the council's effort to integrate feedback from diverse stakeholders, including organised sports teams, local schools, casual park-goers, and residents living adjacent to these sportsgrounds. The statutory requirements of these plans also necessitate a thorough understanding of the environmental, cultural, and recreational implications of approved activities and stipulate mandatory document exhibition periods and public hearings.

**Key Considerations:** stakeholder engagement should remain an ongoing standard practice as studies are updated so that the council considers input from the community and stakeholders to ensure evolving needs and concerns are addressed. In addition, there is a current and transparent opportunity for service providers and stakeholders to engage with the use of this site in the open tender for the lease of management of the current site.

With changes in demographics, sporting trends and available open spaces in North Sydney, it is essential that stakeholder engagement strategies also evolve to capture a representative cross-section of the community. By maintaining a commitment to robust stakeholder engagement, the North Sydney Council can ensure that its open space land planning endeavours reflect the genuine needs and aspirations of its diverse community. The next appropriate community and stakeholder engagement for this site regarding its current use is an updated Open Space Recreation & Needs Strategy which has recently been advertised for completion in 2023/24.

### 1.7. Implementation & Monitoring of Open Space & Land Planning Actions

The effective implementation and subsequent monitoring of strategies is crucial for ensuring that open space land planning and management initiatives are realised for the community's benefit.

For the 2024/2025 update of the Open Space Needs Strategy, there is an opportunity to develop clear and detailed action plans. This provides the best opportunity to consolidate and translate the identified plans and studies. Furthermore, engaging local stakeholders, relevant sporting clubs and community organisations will provide an updated strategy that includes identified needs and aspirations of the community to best direct future investment of public management and associated infrastructure.

**Key consideration:** To optimise the Open Space Needs Strategy, an actionable outcome would be the creation of a detailed timeline for strategy deployment. This could include references to the updating of the relevant plans of management.

Effective monitoring post-implementation is important for the continual optimisation of the Open Space Needs Strategy. The introduction or consolidation of existing performance indicators, such as user satisfaction rates and facility levels of service or utilisation targets, could serve as measurable benchmarks for success. Scheduling appropriately scaled service reviews and analysis (specifically targeting sport grounds, and parks and reserves service types), will identify opportunities for effective and efficient land management and operations to align with the updated strategy and agreed outcomes such as site activation.

### 1.8. Open Space & Land Planning Update

Given the changing nature of urban open space usage, particularly in the post COVID-19 pandemic era, an up-to-date open space plan or gap analysis is essential for Councils considering best use cases. It ensures the public space planning framework remains relevant and responsive to shifts in community needs or usage patterns. By regularly reviewing and updating strategies, local governments can demonstrate transparency and accountability to their constituents, showing that they are proactive and responsive to changing needs and conditions.

Table 1 - Summary of Tennis Facilities (North Sydney Council, 2015)

Location	Facility Description	Park Hierarchy
Primrose Park	Public – 4 synthetic courts	District
Cammeray Park	Public – 4 synthetic courts	District

Location	Facility Description	Park Hierarchy
Green Park (Camberay)	2 asphalt courts	Local
Tennis World (Ridge Street)	Private - 4 synthetic courts	N/A
Neutral Bay Club	Private – 4 synthetic courts	N/A
Monte Sant' Angelo College	Private 2 outdoor courts	N/A
Wenona School	Private 1 Court (undersized)	N/A
North Sydney Boys High School	Private 2 courts	N/A
North Sydney Girls High School	Private 1 (asphalt)	N/A
Little Alfred Tennis Centre	Private – 3 synthetic courts	N/A

Other nearby facilities in Willoughby and Mosman include the Northern Suburbs Tennis Association (8 courts) and Mosman Lawn Tennis Club (6 courts). 59.1% of respondents at the time of survey used Outdoor sport courts including Tennis. There is no anecdotal or documented evidence to suggest that the previously identified demand for appropriately managed tennis facilities by experienced operators has significantly changed. Usage assessment is further explored in section 2 of this report.

Table 2 - Household Online Survey (Support Doc) 2015 Recreational Needs Study

Activity	Number
Walking	112
Running, jogging	63
Cycling	55
Swimming	54
Parks (picnicking, reading, kicking a ball)	45
Tennis	35
Dog Walking	35

Table 3 - Activity respondent would like to participate in (but does not currently)

Activity	Number
Hockey	36
Cycling / Mountain Biking	32
Park based activities (e.g., yoga, Pilates, tai chi, chess, relaxing)	21
Outdoor fitness (gyms, classes)	17
Recreational boating (kayaking, canoeing, sailing, wind surfing, rowing)	12
Soccer	8
Tennis	8

Table 4 - Membership and volunteers by activity

Activity	Participants (Number)	Volunteer (Number)
Private gyms / group fitness	24	1
Service based organisations	<b>22</b>	<b>3</b>
Hockey	21	21
Soccer	<b>10</b>	<b>10</b>
Tennis	8	4
Swimming / diving	<b>8</b>	<b>0</b>

It should be noted that this data is sourced from the 2015 study and more current data will be collected through the proposed 2024 Open Space and Recreation Strategy.

**Key consideration:** the updated Open Space Needs Strategy consider engagement with Tennis NSW and consider their vision and strategic roadmap that has been updated to consider 'macro' changes to the sporting landscape. Alternatively, the updated Open Space Needs Strategy may consider the need for a regional tennis strategy, aligning with Tennis NSW Vision 2025. This vision aims to cultivate a deep-seated passion for tennis within every community in NSW, supporting their mission to engage the entire NSW tennis fraternity, with a focused aspiration over the next four years to stand out as Australia's preeminent sport for life, lead as the foremost State on the tennis court, and gain national recognition as a top-tier State Sporting Organisation.

The Tennis NSW strategic roadmap involves a tight-knit collaboration with the sport's major pillars: Clubs, Coaches and Councils. The essence of every decision, policy, or program is tailored to the needs and views of the Players, Parents and Volunteers. Augmenting their vision, Tennis NSW underscores the significance of fortified partnerships with key stakeholders, including the NSW Government, the NSW Education Sector, community & cultural groups, and Tennis Australia. T

## 2. Assessment of Use

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This section reviews the current facility use and considers viable sport and recreation use alternatives.

### 2.1. Existing Use

#### Strategic Alignment

The use of the site for tennis courts is supported from a policy and strategic perspective by the Sportsground Plan of Management (2017) and North Sydney Recreation Needs Study (2015).

#### Facility Demand

As noted in Section 1, (Review of Supply and Demand for Sports Facilities in the NSROC Region (2023)), despite an oversupply of outdoor courts in the region, there is an undersupply of outdoor courts within the North Sydney LGA. Given that neighbouring LGAs of Mosman and Willoughby both have an oversupply, it is unlikely to mean that North Sydney requires additional courts, but likewise a reduction of courts would not be recommended.

#### Utilisation

The site is used almost wholly for tennis coaching, programs and competitions. Based on typical weekly use data from 2022 and 2023, the facility is achieving 80% - 90% occupancy for 'peak times' and 30%-50% occupancy for 'off-peak times'. The main gap in peak time utilisation is on Friday evenings which is typical for most recreational facilities.

#### Benefits

Like many sports, tennis has a range of recognised benefits relating to health, wellbeing and social outcomes:

- Increased perception of inclusion for people from a range of ability, cultural, religious, gender, and sexuality perspectives, through the provision of activity spaces catering to all ages and abilities
- Increased level of engagement in the local community through sport
- Increased sense of belonging in the community through increased social cohesion and refuge
- Increased exercise and physical activity

### 2.2. Potential Alternative Uses

This review of possible alternative uses focuses on sport and recreation uses and considers demand for alternative uses from available reports. This includes:

- The Review of Supply and Demand for Sports Facilities in the NSROC Region (2023) which identified shortfalls across the region for playing fields, indoor courts and 'indoor speciality'; and
- The North Sydney Recreation Needs Study (2015) which identified the need for increased 'social/family recreation space'.

It's worth noting that as part of the assessment process, the consultant team considered the site in the context of the Site Assessment Proforma from the Open Space Provision Strategy. Whilst it generally meets criteria for use as open space, its physical characteristics (small footprint on an

elevated platform) mean there are limited options for alternate active and/or passive recreational activities. Nevertheless, alternative uses were considered at three 'intervention' levels of:

- Multi-use of existing facilities or with minor changes
- Modification to existing facilities
- High level redevelopment options

### 2.2.1. Multi-use of Existing Facilities

Due to the size, surface type (synthetic grass) and court layout, alternative uses with minor modification (inclusion of goals/posts, line marking and use of removable tennis net posts) would include:

- Netball
- Small sided soccer/futsal
- Small sided hockey

These changes may not necessarily yield net additional usage due to the likelihood of competing with existing use peak demand periods. Additionally, these activities were not considered as significantly deficient in facility provision based on available open space demand analysis reports.

### 2.2.2. Modification to Existing Facilities

With more substantial changes to the courts including resurfacing with a hard court surface, changes to court layout and/or internal fencing alternative uses could include:

- Netball (4), futsal (4/2), basketball (4), pickleball (12) (all potentially dual use with tennis but potentially on a less preferred surface for tennis users)
- Hot shots tennis (junior levels)
- Padel (this would reduce the number of tennis courts and exclude other sports [except pickleball] above)
  - two padel courts can be accommodated in the space of one tennis court

These changes would require additional capital investment and stakeholder engagement. This may not necessarily yield net additional usage due to the likelihood of competing with existing use peak demand periods and alternative venues and facilities already catering for these activities. Additionally, these activities were not considered significantly deficient in facility provision based on available open space demand analysis reports.

### 2.2.3. High Level Redevelopment Options

Based on demand outlined in relevant needs studies a 'high level' review of redevelopment options was conducted. A redevelopment option would require planning investment beyond the scope of this review. This level of investigation would warrant a master plan if contemplating major changes to existing facilities and associated site use. Any site change that considered a significant increase in site utilisation as a preferred outcome would benefit from a master plan given the multiple sites uses, stakeholder's and cultural and heritage values within wider Primrose Park.

### Playing fields

The functional footprint of the playing surface means that at best it could only accommodate three of the smallest sized football pitches (30mx20m) catering for under 6-7 years or one for under 8-9 years (40mx30m) and one under 6-7 years and/or serve as a training area.

**Indoor sport and recreation facilities**

It is unknown if construction of substantial buildings is possible on the site, however, it is likely to be highly problematic from an access, planning approval and cost perspective. Nevertheless, the available footprint would once again limit opportunities. It may, theoretically, accommodate a building of 2,500m<sup>2</sup> which would be equivalent to 2-3 indoor courts, but other supporting infrastructure (parking and services) are unlikely to facilitate this.

**Passive recreation and/or playground facilities**

Playground facilities are located at the western end of Primrose Park with a single point of entry. The site is not highly accessible by foot or bike. The elevated position from surrounding open space also reduces accessibility. Whilst 'social/family recreation space' could be provided within this area, there are more appropriate spaces at the eastern end of Primrose Park or in other open space close to the site.



## 3. Operational Assessment

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### 3.1. Current Management Model

The current management of the centre has been via a lease to a private operator/coach providing tennis programs and facilitating court hire by community organisations and members of the public.

The term of the current lease agreement is due to expire (in hold over period), and Council is preparing to undertake a tender process seeking submissions *“from suitably qualified operators, who can provide benefits, facilities or services for users at the Primrose Park Tennis Courts in Cremorne.”*

The successful tenderer will operate, manage, and fulfil their obligations under a similar Lease Agreement to that of the existing lease that could be updated to include mutually agreed activity targets. The updated lease is proposed is for 5 years, with Council considering the option of a further 5 + 5 years based on mutually agreed updated performance and motoring schedules. The advertised tender contract details provide for appropriate options under which appropriately qualified operators could best optimise utilisation of current infrastructure to meet utilisation expectations.

The lease model provides Council with a cost-effective method of ensuring utilisation of the site is optimised for its intended use. Lease tender processes allow for the design and negotiation of a lease agreement that ensures the lessee is committed to the high-standard maintenance, operation and activation of the tennis facility. In this way North Sydney Council can leverage the leased model to optimise facility usage while maintaining low operational costs.

The lease management model can be highly successful in ensuring the site is managed to meet the intended public use. Some of the benefits of this model include;

- **Reduced Costs:** Councils can save on maintenance, utilities, and operational expenses as these are often covered by the lessee.
- **Consistent Revenue:** Leasing out the tennis facility provides a anticipated income through regular lease payments.
- **Optimised Usage:** Experienced lessees can maximise facility usage through professional management, varied programs, effective marketing, and quality service provision.
- **Risk Mitigation:** Many operational risks associated with programmed activities are mitigated by an experienced lessee providing professional tuition of approved activities.
- **Enhanced Community Engagement:** The facility is likely to host diverse programs and partnerships, promoting widespread community participation.
- **Resource Allocation:** Councils can redirect their focus and resources towards core services and other community needs.
- **Facility Upgrades:** Lessees models often allow investment in improving the facility, enhancing its quality without direct costs to the council.
- **Contractual Flexibility:** Lease terms are negotiable, allowing councils to set conditions that align with their objectives and possible site renewal timeframes.
- **Community and Environmental Benefits:** Lessees may initiate social programs and adopt sustainable practices, contributing to community development and environmental sustainability. The agreement can ensure mutually agreed utilisation targets and monitoring periods.

### 3.2. Utilisation Levels

- Based on typical weekly use data from 2022 and 2023, the facility is achieving 80% - 90% occupancy for 'peak times' and 30%-50% occupancy for 'off-peak times'
- Current utilisation is considered adequate under the previous terms, conditions and objectives of the contract with the current lease operator leveraging the available patrons through effective programming. The utilisation is consistent with usage patterns for this type of recreation activity within the community, however an updated agreement could benefit from agreed utilisation targets and performance reviews
- 2021 site refurbishment and improvements included booking technology that remotely activated facility access and lighting which has anecdotally reported an increase in the usage of the facility.
- Future utilisation of the site is anticipated to be maintained at an appropriately high level with utilisation and programming targets to be considered in an updated tender process.

### 3.3. Operating Cost and Income Analysis

- Current yearly operating costs associated with the facility are transferred to the operator. In this way, the lessee is incentivised to actively manage the utility usage.
- Expected lease revenue was previously valued at a minimum of \$80,000 per annum<sup>2</sup>.
- The lease model provides a cost-efficient minimal risk option for Council. As the site is located on a Crown Reserve there is a requirement that any income generated on site is for a public purpose and is reinvested back into the Crown Reserve by the appointed Crown Land Manager (North Sydney Council).

### 3.4. Staffing Analysis

- There are no current staff included in the direct management of this site as per the lease model.
- Indirect staff costs and responsibilities are associated with the North Sydney Council Property Management team who manage similar community use leases as well as commercially focussed agreements supported by third party contract management services.

### 3.5. Facility Management Documents

- Site specific operating procedures and processes are the responsibility of the lessee.
- The terms and conditions of the draft lease ensures that the lessee undertakes proper management of the facility such that it is maintained in a safe and visually pleasing condition, and that the interests of Council and the public are protected.
- Lease and operating manuals are not currently provided to lessee and there are no explicitly agreed utilisation targets or associated performance requirements.

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<sup>2</sup> Based on independent valuation advice

### 3.6. Service Quality and Customer Satisfaction

- In 2020 North Sydney Council undertook a resident and business satisfaction survey. Recreation Facilities generally improved in satisfaction score ratings from the 2016 survey. One noted reason for dissatisfaction was that “There are not many tennis courts”.
- One noted reason for dissatisfaction in the 2020 Community Satisfaction Survey was that “There are not many tennis courts”. Tennis Facility provision is dealt with separately in this report noting generally that this is likely to be addressed in an updated Open Space Study which may likely include more sport specific examination through the community engagement phase.
- The recent upgrade of the subject site, improving the development standard which will provide for increased utilisation during peak demand period (with one of the courts previously effected by drainage and surface condition prior to the upgrade and effectively unavailable for use).
- The feedback within the most recent community satisfaction supports the current use and purpose to be retained.
- Mutually agreed utilisation targets and cyclic performance reviews may indirectly improve perceptions of site availability as well as provide a means in which to evaluate demand.

## 4. Service Delivery Mode Analysis

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### 4.1. In-house Service Delivery

The potential for direct management by the Council has been considered as a potential alternative option. Council operations are often chosen when managing high-volume or high profile community sport and recreation facilities Council's.

This option allows for direct control over operations and ensure alignment with community values and objectives. If managed well, the council run operation can rapidly adjust programs, fees, and schedules to meet the community's changing needs, while maintaining a strong community focus, with all revenue reinvested locally. This approach can also support the local economy by providing employment opportunities and equally deliver high standards of customer service and facility maintenance through direct oversight. Immediate community feedback helps in tailoring services to local preferences, ensuring the facility serves the community effectively.

The decision to manage a tennis facility with council staff would require careful consideration of the following factors to ensure that the facility can effectively serve the community and provide a financially and operationally viable option:

- **Resource Intensive:** Council would need to invest in appropriately experienced and qualified staff, training, and potentially changes to current operating structure.
- **Operational Challenges:** Without specialised tennis facility management expertise, there is anticipated challenges in optimising facility usage and associated revenue.
- **Financial Instability:** Income is dependent on direct user fees, which can fluctuate, leading to financial uncertainty with internal budgeting, especially over the short term.
- **Marketing:** To ensure success of this alternative model, the option would need to consider if there is sufficient capacity within the in-house staff with the relevant marketing skills, community engagement and activation resources required to maximise facility usage and attract a broad user base that would exceed the projected minimum lease fee of \$80,000.
- **Fees and Charges flexibility & pricing:** Council-operated facilities often face public pressure to keep fees low, potentially impacting financial sustainability. Additionally, there is the need to maintain a current and routine fee benchmarking.
- **Maintenance Challenges:** routine and appropriate maintenance would also be required (particularly to the court surface to achieve the estimate useful life of the current synthetic surface) and put additional pressure on existing council resources.
- **Scale of the facility,** the above impacts on resourcing would be further challenged by the small scale of the facility which would not achieve an economy of scale.

### 4.2. Multiple Lessor/Licensee Options

- The current lease tender allows for appropriate diversification of services and broader community engagement. At larger facilities prospective lease tender applicants have the option to sub-lease some services or areas of operation.

### 4.3. Impact Considerations

- Short-term: Transition to any change in management mode would have a potentially significant localised service disruption that would be considered unacceptable without investment in further investigations, current lease hold over extension and a significant transition period with associated change management plan. The benefits of any change would be minimal (if realised) and significantly outweighed by the additional costs and risk to council for a site of the size and scale.
- Medium-term: potential to investigate harmonisation of other tennis leases within the area to provide potential increase in scale and reduce duplication of procurement efforts. This option would require further investigation that would be best considered in conjunction with the previously identified regional tennis facility strategy.

## 5. Governance Analysis

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### 5.1. Gap Analysis

Some operating data gaps have been identified including;

- Utilisation and attendance data. There is currently no requirement for site operators to report on the quantity (how many users) or frequency of use (how often). There is an opportunity to mutually agree and set utilisation targets and require usage data to be monitored and reported on under new contract terms and conditions. User feedback on programming, quality and peak demand & accessibility. There is an opportunity for future tender requirements to require future operators to also formally collect qualitative feedback from various users. This would provide beneficial feedback on lease performance beyond quantitative data and traditional commercial property contract requirements to better align with community recreational and sporting facilities outcomes. This information could be collected bi-annually or at agreed contract milestones.

Strategic analysis opportunities to support future use assessments of this site include;

- Updated Open Space and Recreation Needs analysis to provide strategic guidance and analysis of the contextual role that this facility provides in meeting the tennis needs of the community. Council has recently invited tenders for updated version of Open Space & Recreation Needs Analysis.
- Northern Sydney Regional Tennis Facility Strategy. The 2011 (NSROC) identified the need for a regional golf, bowls, and tennis strategy to improve the basis for planning future infrastructure for these sports.

Management Model analysis identifies some opportunities that may assist in the future management of this and other sites including;

- Future Tennis Facility Strategy that considers options of joint management models
- Future sportsground service reviews consider more broadly across the range of community sport services to ensure robust maturity assessment that includes analysis of strategic direction, demand management, operating efficiencies and support mechanisms are aligned in appropriately considered management model. This could also provide an opportunity to set service metrics that seek to meet community outcome expectations and systematically account for satisfaction feedback.
- Review of internal structure and alignment of activities that demand higher levels of investment in utilisation analysis and accompanying investment in demand management to drive participation, optimise revenue growth, and consider existing cost recovery opportunities where appropriate.
- Lease Operator manual. An operating manual describing & summarising the roles and responsibilities of the facility manager would be considered a useful resource for the operator. The manual could also list key relevant contacts and contain relevant support to undertake cyclic user survey in a consistent format useful to Council. The document could also capture service outcome agreements including utilisation targets and monitoring requirements.

## 5.2. Future Assessment Considerations

- Optional annual collection of utilisation data to build upon a baseline assessment and create trend analysis for consideration during future lease extension proposals
- A mechanism to capture periodic customer feedback .
- Consideration of a benefits based prioritisation hierarchy to schedule appropriately scaled service reviews that closely align with Office of Local Government Service types (e.g. sportsground or parks & reserves service reviews.
- Include performance provisions within a revised lease to encourage initiatives that attract new participation to the Sites through quality programming, community partnerships, marketing and outreach activities. A priority is to seek complementary sports to share courts where applicable.

## 6. Conclusions and Recommendations

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In preparing the best use case recommendations for the Primrose Park Tennis Courts, the following key points are noted:

- The facility was recently upgraded (in 2021) via a commonwealth government investment of approximately \$2.2m.
- The upgrade has reset the remaining useful life of key assets with future renewal interventions, potential redevelop 'windows' and utilisation targets to consider major surface renewal (typically around every 7 years for a synthetic grass surface, placing the first renewal in 2028 and second in 2035).
- According to utilisation data from the current lessee, the facility appears to be well-attended during traditional peak times, primarily through its contemporary tennis programs. However, this assessment is limited to the data provided in good faith with no current requirement to provide attendance or utilisation information under the existing lease.
- The site has limited opportunities for isolated re-development and use for alternative sport and recreation facilities due to its functional footprint and accessibility constraints. Any changes would require more technical investigations and stakeholder engagement.
- Council intends to review and update its Open Space and Recreation Plan over the next 12 months which will provide updated demand analysis and strategic recommendations.
- The site is managed following an industry standard practice of leasing community tennis facilities to appropriately qualified and experienced operators via competitive tender. This approach is a cost-effective model that can be further optimised for participation and space activation.

### Best Use Case Recommendations

Given the opportunities and constraints of the site, the recent investment in key assets and management efficiencies a best value approach is recommended as follows:

- Facilitate a new lease for the management of the facility with a term of five years (2024-2029) and options in Council's favour for a further 5+5 years.
  - The new lease should encourage the operator to introduce new/alternative uses and user types where possible and demonstrate how they will actively drive, monitor and report upon site utilisation. This would see a revised 'activity-based' contract that builds upon the current 'property-based' performance measures to be included within the lease clauses.
- When the current surface reaches the end of its life (circa 2028), renewal of the surface, Council staff in partnership with the contractor consider alternative surfaces to facilitate broader uses drawing upon intercept surveys.
- Prior to the execution of the first lease option and/or second surface replacement (circa 2033), consider redevelopment options for the site based on contemporary needs assessment (evidenced and supported by the to be developed updated Open Space and Recreation Study 2024/5)
  - Should the assessment identify better value uses, terminate the lease and implement an appropriate re-development plan and associated community & stakeholder engagement

### Conclusion



The Primrose Park Tennis Facility in Cremorne remains a valuable asset, serving both tennis enthusiasts and the broader community. Having recently undergone renovations, the facility is well-equipped to handle an increase in visitation. Council staff are well placed to update terms and conditions to process a future open tender, aiming to find and work with a qualified leasehold operator who can optimise the facility’s value and utilisation benefiting the community and ensuring its best use. The present management model is supported by a robust property management function and competent staff, aligning with this goal. The updated lease tender can accommodate various usage and sub-leasing options, providing flexibility. However, it’s important to note that initiating any new developments on this site would not capitalise on the recent investments made in community tennis facility infrastructure. Future modifications or investments to the sports, recreational, or community services offered at this location should be systematically planned and evaluated by the community. The figure below provides an overview of indicative milestone dates in which to plan for these considerations and decision points.

Figure 3 - Suggested Approach and Timeline

