

CITY OF WEST TORRENS



Confidential Report Items 21.1, 21.2, 21.3 and 21.4

of the

COUNCIL MEETING

of the

CITY OF WEST TORRENS

will be held in the Council Chambers, Civic Centre
165 Sir Donald Bradman Drive, Hilton

on

**TUESDAY, 17 MAY 2022
at 7.00pm**

Pursuant to Section 83 (5) of the *Local Government Act 1999* the Confidential Items for the Council meeting are delivered to the Council Members upon the basis of my recommendation that the matters to which the Agenda relates be received, considered and discussed by the Council in confidence under Part 3 of the Act.

Angelo Catinari
Chief Executive Officer (Acting)

City of West Torrens Disclaimer

Please note that the contents of these Council and Committee Agendas have yet to be considered by Council and officer recommendations may be altered or changed by the Council in the process of making the formal Council decision.

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21.3 Leasing Arrangements - Thebarton Oval Precinct - Update

Reason for Confidentiality

The Council is satisfied that, pursuant to Section 90(3)(b)(i) of the *Local Government Act 1999*, the information to be received, discussed or considered in relation to this agenda item is:

- (b)(i) information the disclosure of which - could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council.
- (b)(ii) information the disclosure of which - would, on balance, be contrary to the public interest.

RECOMMENDATION

It is recommended to Council that:

1. Pursuant to Section 90(2) of the Local Government Act 1999, Council orders, that the public, with the exception of the Chief Executive Officer, members of the Executive and Management Teams in attendance at the meeting, and meeting secretariat staff, be excluded from attendance at so much of the meeting as is necessary to receive, discuss and consider in confidence, information contained within the confidential report Item 21.3 - Leasing Arrangements - Thebarton Oval Precinct - Update, attachments and any associated documentation submitted by the Chief Executive Officer, specifically on the basis of the provisions of Section 90(3)(b)(i) and (b)(ii) because there are ongoing negotiations relating to the lease that may impact both the existing lessee and also a future prospective lessee of (portion of) the premises and would, on balance, be contrary to the public interest.
2. At the completion of the confidential session the meeting be re-opened to the public.

Brief

This report provides Members with an update in regard to the SANFL's request for a new long term lease (or licence) over portion of the Thebarton Oval/Kings Reserve complex and the recent request (letter of intent) received from the Adelaide Football Club.

RECOMMENDATION

It is recommended to Council that:

1. The report be noted.
2. The SANFL be advised that, at this point in time and based on the SANFL's current proposal considered against the overall Council approved Masterplan for Thebarton/Kings Reserve Complex, the Council does not intend to grant any further lease over the premises to the SANFL upon expiry of the current lease term.
3. The SANFL be further advised that the Council acknowledges that the lack of any further (long term) lease may likely result in the SANFL seeking to amend or abandon its Venue Improvement Plan for the premises. However, the SANFL is reminded that the obligations the SANFL has with regard to the requirement to undertake capital improvements to the premises, in accordance with the relevant provisions of the lease, are at this time not waived.
4. The Administration be authorised to enter into negotiations with the SANFL to determine whether the SANFL may be receptive to an early termination or sooner determination of their existing lease agreement, and the terms and conditions which the SANFL may seek for such sooner determination.

5. Given the recommendations provided in 2, 3 and 4 above, the Council authorise the Administration to enter into negotiations with the Adelaide Football Club (AFC) to progress discussions for the grant of a lease or licence to the AFC upon expiry, or sooner determination, of the current lease held by the SANFL.
6. A further report be provided to the Council following negotiations with the SANFL and the Adelaide Football Club.

FURTHER

1. In accordance with Sections 91(7) and 91(9) of the *Local Government Act 1999*, the Council orders that the Item 21.3 Leasing Arrangements - Thebarton Oval Precinct - Update, the Minutes arising, attachments and any associated documentation, having been considered by the Council in confidence under Section 90(3)(b)(i), be kept confidential and not available for public inspection for a period of 12 months from the date of this meeting, on the basis that there are ongoing negotiations relating to the lease that may impact both the existing lessee and also a future prospective lessee of (portion of) the premises.
2. Council delegates the power of review, but not the extension, of the confidential order to the Chief Executive Officer on a monthly basis in accordance with the provisions of Section 91(9)(c) of the *Local Government Act 1999*.

Introduction

At its meeting of 28 September 2021 Council's City Facilities and Waste Recovery General Committee considered a report dealing with a request from the South Australian National Football League (SANFL) seeking the grant of a new long term lease over portions of the Thebarton Oval complex. The motivation for such a request related to very significant anticipated expenditure and upgrade works which the SANFL is (/was) proposing to undertake within the complex.

A copy of the report is attached for the information of Members (**Attachment 1**).

Following its consideration of the report the Committee moved in accordance with the Administration's recommendation, i.e.

The Committee recommends to Council that:

1. *Council provide its consent for the Administration to commence negotiations with the South Australian National Football League (SANFL) for the proposed grant of a long term lease (or licence) to the SANFL for its use of portion of the Thebarton Oval complex, on the proviso that no final commitment can be provided to the SANFL until such time that:*
 - *The Adelaide Football Club has determined whether it wishes to relocate/collocate to the Thebarton Oval complex;*
 - *Public consultation has occurred in regard to the proposed grant of lease (or licence); and,*
 - *Any submissions which may be received arising out of that public consultation have been considered by the Council.*
2. *A further report be provided to the Committee / Council detailing the outcome of the negotiation process, prior to any necessary public consultation regarding the proposed grant of lease (or licence) occurring.*
3. *Council provides in principle consent, in its capacity as landowner/landlord of the Thebarton Oval complex for the works proposed in **Attachment 2** of the Agenda report, only within the current leased area, subject to any necessary development consents being sought and obtained.*

At its meeting of 5 October 2021 Council endorsed the Committee's recommendation.

Background

As indicated within the report of 28 September 2021 the SANFL (and indeed the predecessor lessee, the South Australian Amateur Football League - SAAFL) has for some considerable time been proposing upgrades to the leased premises.

The quantum of proposed upgrade works gave rise to Council's approval for the 5+5+5 year lease from 1 March 2016 granted to the SAAFL (at its meeting of 5 April 2016) on the basis that the SAAFL proposed to undertake significant capital upgrades to the premises. Given these proposals the lease required that a minimum value of works be undertaken during each 5 year period of the lease term. The amount of expenditure required during each 5 year period is specified within the lease agreement as follows:

- Initial (first 5 year) term - a minimum of \$150,000;
- First Renewal (5) year term - a minimum of \$120,000;
- Second Renewal (and final 5) year term - a minimum of \$105,000.

The proviso was that should the lessee's expenditure significantly exceed the minimum contribution amount (by 150-199%) then the Council could (solely at its discretion) reduce the amount required to be spent in the following 5 year renewal term, or in circumstances where the contribution amounted to more than 200% of the required amount the Council would waive the contribution required in the subsequent 5 year renewal term.

Members may also recall that following a request from the SAAFL, and Council's consideration of that request, approval for the lease to be assigned from the SAAFL to the SANFL was provided by Council at its meeting of 5 November 2019. Upon the assignment of the lease the SANFL "inherited" the obligations of the SAAFL contained within the lease agreement, (including meeting the capital contribution requirements).

As further indicated within the report of 28 September 2021, although the SANFL had secured grant funding from the Federal Government and obtained in principal commitment of additional funding from Council (for associated works - principally to implement many of the initiatives of the Kings Reserve Masterplan) for its proposed project works, the SANFL had little option other than to essentially "mothball" its plans for a substantial period following the onset of the COVID-19 pandemic.

The City Facilities and Waste Recovery General Committee acknowledged the impacts of the pandemic upon the SANFL when it considered the SANFL's request for the grant of the first renewal/5 year extension to the (assigned) lease at its meeting of 22 September 2020. Following consideration of the SANFL's request for the grant of the extended (first renewal term) Committee recommended to Council that:

1. The first renewal term (of 5 years from 1 March 2021 until 28 February 2026) provided within the existing lease for portion of the Thebarton Oval complex be granted to the South Australian National Football league (SANFL).
2. Rental at commencement of the first renewal term be determined by using the Adelaide All Groups CPI following release of the December 2020 quarter CPI.
3. The balance of any required qualifying capital expenditure from the initial rental term be determined at the end of that term and be added to that of the first renewal term.
4. The Mayor and Chief Executive officer be authorised to sign and/or seal any necessary documentation to give effect to the grant of the renewal term.

At its meeting of 6 October 2020 the Council endorsed the Committee's recommendations.

Members will also be aware that there has been ongoing dialogue between the Adelaide Football Club, SANFL and Council in regard to a possible collocation/relocation of the Adelaide Football Club to Thebarton Oval.

A further and final complication in this matter has been the likely (or future) impacts to both the Thebarton Oval proper and the remainder of the complex site (i.e. including Kings Reserve and adjacent land) occasioned by the upcoming Torrensville to Darlington (T2D) project works.

Discussion

In accordance with the recommendations of the Committee and the subsequent resolution of Council following the (respective) meetings of 28 September and 6 October 2021, the Administration met with representatives from the SANFL to commence negotiations for a new long term lease for the SANFL's use of portion of the Thebarton Oval complex in mid-October 2021 - the proposed grant of such long term lease being predicated on the delivery of all aspects of the SANFL Venue Improvement Plan (which also delivered the Council's objectives and outcomes identified within, and sought from, the Kings Reserve Masterplan).

During this initial meeting the Administration also confirmed (in accordance with the resolution of Council) that any negotiations regarding the grant of any possible new long term lease or licence to the SANFL were essentially preliminary and that no commitment regarding any new lease could be provided until such time as the "Adelaide Football Club has determined whether it wishes to relocate/collocate to the Thebarton Oval complex." (The SANFL were also reminded that no commitment to any long term lease could be made until such time as necessary public consultation regarding any proposed grant of that lease had taken place, and the Council had been afforded an opportunity to consider any comments or submissions that had been received regarding the proposed grant of lease or licence during the public consultation period.)

During this discussion the SANFL indicated that as part of its proposed facility redevelopment/venue improvement plan, it was also investigating the possibility of provision of facilities/treatment rooms for medical/allied medical practitioners outside of its direct sporting hours/usage.

Meeting notes were circulated following this initial meeting and a first/preliminary draft of the proposed lease was provided to the SANFL in late November 2021.

It is acknowledged that under the current lease arrangements the SANFL has rights to occupy the premises until at least 28 February 2026 (the expiry date of the current/first renewal term), and should it be in a position where it can, and it does, validly exercise the option for the second renewal term (and where it meets any necessary obligations implicit within the lease agreement), it has rights to occupy until 28 February 2031.

Members are further advised that there has been recent discussion and correspondence between the parties relating to the SANFL Venue improvement Plan.

The Administration has advised the SANFL that, given the ongoing uncertainties associated with the T2D project and the potential implications upon the Kings Reserve land, that it believes the Council would be unwilling or unlikely to provide any contribution toward the Kings Reserve public realm components of the project, including spaces that interface with the Oval "proper" proposed works at this time.

The SANFL has indicated that, if there were to be no Council funding provided toward the project, and if it decided to remain at Thebarton Oval, it would limit its works to the construction of a new facility (building) within the current oval alignment and upgraded floodlighting (**Attachment 2**).

The SANFL has also provided preliminary plans from its architects indicating the extent of the (amended) works proposed (**Attachment 3**).

The Administration notes that the Council has to this time only provided in principal support for the grant of a long term lease (subject to other conditions) on the basis that the "complete suite" of the proposed SANFL Venue Improvement Plan (VIP) works proceed, i.e. works need to be inclusive of the delivery of all elements of the Kings Reserve Masterplan. Thus, in circumstances where the SANFL indicates that these elements of the plan are proposed to not be delivered (as is now suggested), there would appear to be no basis to grant the long term lease.

Should the Council determine to resolve to advise the SANFL that it does not intend to grant any further lease term (or a new long term lease) to it upon expiry of the current lease, it is the Administration's expectation that the SANFL would be likely to either:

- a) forego its Venue Improvement Plan, (on the basis that it would not have sufficient security and length of tenure to recoup the expenditure made); or
- b) (further) amend its Venue Improvement Plan; or
- c) seek to extricate itself from the existing lease arrangements (or determine to not activate the second renewal term) and seek an alternate site that offers the security and length of tenure sought to provide the required level of confidence to enable it to proceed with the implementation of its VIP (perhaps in an amended format).

As indicated above, irrespective of whether or not the SANFL determines to proceed with the implementation of its Venue Improvement Plan, it has inherited the obligations within the (assigned) lease relating to the requirement to expend monies on capital improvements within/to the leased premises. At this time the amount of expenditure which is required to be made prior to expiry of the current (first) renewal term is \$270,000 and prior to the lease expiry (should the additional (second) renewal term be activated by the SANFL) is \$375,000.

Given the possibility that the SANFL may seek the early termination or sooner determination of the lease, it is suggested that the Administration be authorised to enter into negotiations with the SANFL to determine whether, and under what circumstances, the SANFL may favourably consider this action. A further report would be brought back to the Council for its consideration following such negotiations.

Members will be aware that the Administration and Adelaide Football Club (and the SANFL) have been engaged in preliminary discussions regarding the Adelaide Football Club's (AFC's) possible collocation to, and use of, the Thebarton Oval complex for some time and that there has been considerable prevarication from the AFC given that a clear decision has not been able to be made regarding the two choices of venue that it has been considering.

However, given the context of the attached letter (**Attachment 4**) of intent which has been recently received from the AFC, the Administration further suggests that it be authorised to enter into negotiations with the AFC in an endeavour to determine whether terms can be agreed between the parties for a long term lease (or licence) for the AFC's use of the Thebarton Oval complex upon the expiry or sooner determination of the SANFL lease.

The Administration takes this opportunity to note that the critical criteria listed by the AFC to enable its relocation to the Thebarton Oval complex are:

- A long term lease;
- Sole occupancy; and
- Planning and funding support.

Whilst the AFC has indicated that it seeks sole occupancy of the facility, it is the Administration's understanding that the language used within the letter of intent is likely to refer to the AFC's desire to be the sole **sporting** user of the Thebarton Oval proper.

The Administration acknowledges that the intent of the Kings Reserve Masterplan is to ensure greater community access to the oval, (when not required for approved sporting use) and that the plan further acknowledges ongoing use of Kings Reserve by the existing sporting user, (MA [Messinian Association] Hawks). These requirements would be confirmed by the Administration in any lease (/licence) negotiations with the AFC should the Council provide its authorisation for such negotiations.

The Administration further notes that the Club's vision for the site is for "*The Torrens Sports Precinct (to be)... a football-first facility of world class standard, encompassing elite training facilities and a home ground for the Club's highly successful women's team, and the potential to incorporate allied health services and Council's community centre on site.*"

Further details regarding the AFC's proposal will be presented to Members in a confidential briefing prior to the Council meeting.

In the event that the SANFL seeks a sooner determination of its lease (and the Council consents to such request), and if the Adelaide Football Club determines to not progress with a relocation to Thebarton Oval, the Administration suggests that the whole precinct revert to open space for the benefit and enjoyment of the community. Such a scenario would provide a "payback" to the community resulting from its inability to use (possibly significant portions) of Kings Reserve during the Torrens to Darlington works.

Members should also note that at this time the Administration has not considered at length, or sought legal advice as to, whether the Administration's, or Council's, actions would or could give rise to any arguments from the SANFL that the Council is estopped from taking the actions suggested within this report.

Members should also note, and/or are likely to be aware, that there has been correspondence between the Council, the Department of Infrastructure and Transport (DIT) and the SANFL regarding possible impacts to the SANFL's premises, resulting from the T2D works. A notice which the SANFL received from DIT (and which may have been issued in error) led the SANFL, through its lawyers, to lodge a caveat over the (main) Thebarton Oval title. (The SANFL holds an equitable interest as lessee over the land within the title - and the other Certificate of Title that forms part of the leased premises.) The effect of the caveat is that the SANFL will be advised of any dealings affecting the land which forms part of the title, (its leased premises).

Climate Impact Considerations

(Assessment of likely positive or negative implications of this decision will assist Council and the West Torrens Community to build resilience and adapt to the challenges created by a changing climate.)

There are no known climate change impacts arising as a result of consideration of this report.

Conclusion

At its meeting of 28 September 2021, Council's City Facilities and Waste Recovery General Committee considered a request from the SANFL for the grant of a long-term lease over portion of the Thebarton Oval complex.

The Administration further suggests that the Council authorise it to enter into negotiations with the SANFL in order to determine whether, and under what circumstances, the SANFL may be prepared to end its occupation of the leased premises.

Given recent events and the Administration's belief that the Adelaide Football Club desires to relocate to Thebarton Oval, and wishes to be the principal lessee or licensee at Thebarton Oval, the Administration suggests that the SANFL be advised that Council does not intend to provide any further lease term to the SANFL upon expiry of its current lease term.

Attachments

1. **Item 8.1 Community Facilities and Waste Recovery General Committee meeting Agenda 28 September 2021 - South Australian National Football League (SANFL) - request for grant of long term lease... over portions of the Thebarton Oval complex**
2. **Email from SANFL 2 May 2022**
3. **Plans submitted by SANFL via email 2 May 2022**
4. **Adelaide Football Club - Letter of Intent**

8 REPORTS OF THE CHIEF EXECUTIVE OFFICER

8.1 South Australian National Football League (SANFL) - Request for grant of long term lease and land owner consent over portions of the Thebarton Oval complex

Brief

This report advises Members that the South Australian National Football League (SANFL) has written to Council seeking the grant of a long term lease over portions of the Thebarton Oval complex.

RECOMMENDATION(S)

The Committee recommends to Council that:

1. Council provide its consent for the Administration to commence negotiations with the South Australian National Football League (SANFL) for the proposed grant of a long term lease (or licence) to the SANFL for its use of portion of the Thebarton Oval complex, on the proviso that no final commitment can be provided to the SANFL until such time that:
 - The Adelaide Football Club has determined whether it wishes to relocate/collocate to the Thebarton Oval complex;
 - Public consultation has occurred in regard to the proposed grant of lease (or licence); and,
 - Any submissions which may be received arising out of that public consultation have been considered by the Council.
2. A further report be provided to the Committee / Council detailing the outcome of the negotiation process, prior to any necessary public consultation regarding the proposed grant of lease (or licence) occurring.
3. Council provides in principle consent, in its capacity as landowner/landlord of the Thebarton Oval complex for the works proposed in **Attachment 2** of the Agenda report, only within the current leased area, subject to any necessary development consents being sought and obtained.

Introduction

The South Australian National Football League (SANFL) is the current lessee of portions of the Thebarton Oval complex and holds the balance of a 5+5+5 year lease which commenced on 1 March 2016, and which was assigned to it from the South Australian Amateur Football League / Adelaide Footy League (SAAFL/AdFL), following the provision of Council consent at its meeting of 5 November 2019.

The SANFL has recently written to Council requesting the grant of a long term lease over portions of the Thebarton Oval complex (**Attachment 1**).

Discussion

Members are likely to be aware that the SANFL have been progressing the development of a Venue Improvement Plan (VIP) for the Thebarton Oval facility over a considerable period of time and may also recall that the SANFL has received the promise of matching Federal Government funding to assist with delivery of the proposed \$18 Million project.

For the benefit of Members, the proposed project works include the following:

- The retention and honouring of a number of elements that were seen as highly desirable outcomes within Council's Kings Reserve Masterplan for the Complex;
- Enhancing pedestrian (and public) safety and access to, and through, the site (on non-match days) by providing a pedestrian and cycling network throughout the Oval and Kings Reserve areas;
- Increasing visibility of, and through, the site;
- Provision of informal recreation opportunities and play areas by opening up the oval when it is not required for lessee use;
- Delivering/providing additional off-street car parking by refurbishing the car parking in the north-western corner of the carpark, formalising the car parking area in the south-western corner of the complex and providing the carpark area in the south-eastern corner of the complex; and
- Providing a number of plaza spaces that will enhance site functionality and which could be utilised by, and thus beneficial for, events conducted on Kings Reserve.

In addition to the above alignment with the endorsed Council Kings Reserve Masterplan, other key elements of the SANFL Venue Improvement Plan include:

- Construction of a new three (3) storey building including gym and teaching space, change and medical facilities, canteen/bar, function space and adjoining commercial kitchen, boardroom, and coaches match day facilities (on the upper level);
- Refurbishment of the change rooms in the Phil Ridings Stand (to upgrade and provide female friendly facilities);
- New public plaza areas at the southern end and in the north-western corner of the Thebarton Oval;
- Construction of an additional football oval at the eastern end of Kings Reserve (conditional upon this area being included within the lease/licence area); and
- Construction of a new facility for AdFL.

(NB: Council had previously identified a need to refurbish and upgrade the change rooms in the Phil Ridings Stand within Thebarton Oval as part of its funding long term commitment of \$6 Million for the delivery of the Kings Reserve Masterplan. This funding requirement is identified in Council's Long Term Financial Plan in delivering its Masterplan and Asset Management Plan and general improvement/upgrading of its facilities.)

The total project cost (including contingencies and professional fees) is estimated at approximately \$18.3 Million, (without the oval re-alignment).

At the commencement of this process the SANFL had funding of some \$6 Million and had received tacit approval (the promise) of matching funding of \$6 Million from the Federal Government (albeit that support was contingent on necessary project precursors, including the grant of a long term lease to the SANFL, being confirmed and delivered by 30 March 2020).

The finalisation of the VIP has identified a requirement for some \$6 Million of additional funds. The costing summary notes that the SANFL is seeking a Council contribution of approximately \$6.15 Million. As indicated above in this report, the funding contribution sought has been considered in Council's Long Term Financial Plan.

Unfortunately, and as reported to Council at its meeting of 2 June 2020, the onset of the COVID-19 pandemic resulted in the league's focus being directed away from the VIP to immediately pressing matters, including dealing with State and Community football league fixtures and matters arising as a result of the pandemic, and consequently much of the necessary planning and associated work to further develop the VIP was placed on hold/significantly delayed.

A further complicating factor, i.e. the possible relocation of the Adelaide Football Club to Thebarton Oval was subsequently injected into the mix. Whilst the Crows relocation issue remains to be finally resolved, its resolution seemingly dependent on a requirement for greater certainty regarding matters associated with the proposed North-South Corridor works in this location, the SANFL remained cognisant of the fact that it needed to progress the VIP in order to meet the terms and conditions associated with the promised Federal Government funding.

The SANFL has now completed the development of its concept plan for the facility which is attached, together with a covering letter from the SANFL's Chief Executive Officer, for Members' information (**Attachment 2**).

As is indicated within the letter, and as is evident within the plans, the proposed development essentially comprises:

- The demolition of the Hank Brothers Stand and construction of a new three storey building in the north-western corner of the complex essentially on the existing stand footprint (featuring Administration and function facilities for both the SANFL and AdFL, toilet, canteen and bar facilities, changerooms, a gymnasium and teaching facility, and medical/allied medical facilities)
- The "resurrection" of the proposal to realign the Thebarton Oval playing surface to a true north-south orientation; and
- The internal renovation and refurbishment of the heritage listed Ridings Stand.

The plans also show the proposed utilisation of the eastern end of Kings Reserve as an additional football field (the existing soccer pitch is to remain under this proposal). Members should note that Kings Reserve and the carpark in the south-western corner (Ashley Street frontage) of the site is currently not included within the SANFL lease area but are proposed to be included as part of the forthcoming negotiations.

Members should also note that the works proposed will be unlikely to impact any works that may be proposed to be undertaken by the Adelaide Football Club should it determine to relocate to Thebarton Oval.

Given the quantum and scope of the proposed works (and as foreshadowed in the report provided to Council at its meeting of 2 June 2020) the SANFL seeks security of tenure before committing any significant funding and proceeding with the project.

As indicated within the SANFL's letter, and given that it anticipated construction works will begin in February 2022, the League seeks that a new long term lease be in place by late January 2022.

However, whilst it is at this time premature to consider the grant of a long term lease (or licence), the Administration does seek the in-principle consent of Council to enter into negotiations with the SANFL for such proposed lease/licence.

The Administration also takes this opportunity to acknowledge that:

- As stated in the SANFL letter, any such negotiations will need to occur against the backdrop of the possible collocation/relocation of the Adelaide Football Club (AFC) to the Thebarton Oval site (and any consequential impacts that may arise as a result of that relocation/collocation).

Whilst the SANFL anticipate that confirmation of whether or not the Adelaide Football Club seek to relocate/collocate to the Thebarton Oval complex will occur by late August; continuing uncertainty regarding possible impacts to the complex arising as a result of the North-South Corridor Project may delay the AFC decision;

- A further report(s) will be brought before the Council following (/during) negotiations, and prior to any public consultation occurring, to confirm that the Council supports the (direction/nature of the) proposed terms and conditions of the proposed lease (or licence); and
- As the lease term which is sought by the SANFL is 42 years, public consultation will be required to occur, and any comments which may arise as a result of that consultation, will need to be considered by the Council, prior to it determining to grant any proposed lease.

Climate Impact Considerations

(Assessment of likely positive or negative implications of this decision will assist Council and the West Torrens Community to build resilience and adapt to the challenges created by a changing climate.)

There are no anticipated climate change impacts arising as a result of the consideration and implementation of this proposal.

Conclusion

The SANFL has written to Council seeking the grant of a long term lease over portions of the Thebarton Oval complex. Whilst the consideration of the grant of such lease (or licence) is at this time premature, the Administration seeks Council consent to enter into negotiations with the SANFL regarding a proposed long term lease (or licence).

In addition, the SANFL has submitted plans for a redevelopment of the north-eastern corner of the Thebarton Oval complex, for which it seeks Council's consent in its capacity of landowner/landlord.

Attachments

1. **Letter from SANFL seeking grant of long term lease**
2. **Letter from SANFL enclosing plans of proposed redevelopment**



9 July 2021

Mr Angelo Catinari
Acting Chief Executive Officer
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MAJOR PARTNERS



Dear Angelo

Re. Thebarton Oval Complex - Lease

I refer to our meeting on 5th July 2021.

I note that South Australian National Football League Inc (**SANFL**) is currently the lessee of the Thebarton Oval complex pursuant to a Memorandum of Lease between the Council and SA Amateur Football League Inc (**Adelaide Footy League**) dated 24 August 2016 as varied by a Deed of Variation of Lease dated 3 November 2017, which Lease was assigned from Adelaide Footy League to SANFL under a Deed of Assignment dated 12 December 2019.

As discussed, SANFL hereby requests the grant under Section 202 of the *Local Government Act 1999* of a new lease over the Thebarton Oval complex for a term of 42 years.

I note the following:

- 1 while the process for the grant of the new lease mentioned above is to be initiated now, SANFL acknowledges that the lease will not be granted until Adelaide Football Club Limited (**AFC**) determines that it will not be a tenant of the Thebarton Oval complex, for the reason that if AFC decides that it does want to be a tenant of the complex, then the process for the grant of the new lease will have to take this into account in some form. I note that it is anticipated that AFC will make a determination by 31 August 2021; and
- 2 it is SANFL's strong preference that the new 42 year lease is in place before SANFL commences redevelopment works at the Thebarton Oval complex. In this regard, construction is expected to commence in February 2022.

Should you have any queries in relation to the request, please let me know. Otherwise, I look forward to working with you on the grant of a new lease.

Yours sincerely
SA NATIONAL FOOTBALL LEAGUE INC

Darren Chandler
CHIEF EXECUTIVE OFFICER

cc: The Hon Rob Kerin, Chairman SA Football Commission
Mayor Coxon, City of West Torrens



We love footy

10 September 2021

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MAJOR PARTNERS



Dear Terry

We submit the attached drawings prepared by Walter Brooke & Associates seeking Council's consent to proceed with the works at Thebarton Oval.

The Design is based on a re-aligned oval as per our discussion at the meeting between SANFL and your team on 31 August, and includes a new 3 storey SANFL/AdFL building replacing the Hank Brothers Stand, internal renovation to the Riding's Stand, toilet and canteen facilities for 3,000 people and associated oval re-alignment, siteworks and carparking.

As discussed, this is the complete proposal which includes the scope of work for the Kings Reserve Oval.

As the entire project is funded by SANFL and the City of West Torrens we have shown the proposal as a whole project solution.

We await Council's approval for the project to proceed to the next stage and are hopeful to receive such approval prior to Christmas to start some portion of work to satisfy the requests of State Government.

Yours sincerely
SA NATIONAL FOOTBALL LEAGUE INC

Darren Chandler
CHIEF EXECUTIVE OFFICER



REASON FOR ISSUE	REV	DATE
Graduates' Consent	A	10/09/20

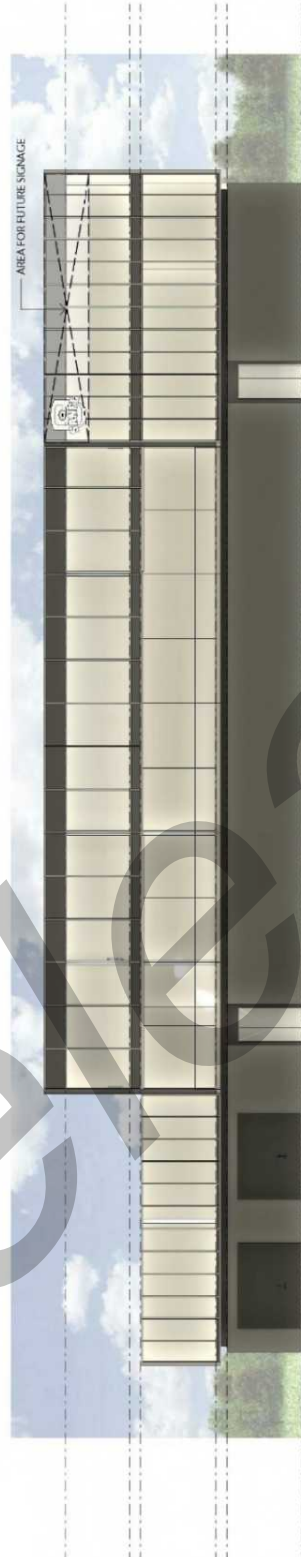
**WALTER
BROOKE**
ARCHITECTURE
INTERIOR DESIGN
LANDSCAPE ARCHITECTURE
MASTER PLANNING

THEBARTON OVAL PRECINCT
SANFL

PRECONC RETAINING WALL	DRAWING	SD-006
12.09.2	REVISION	A
1:1000 @A1	PROJECT	19-178



DRAWN BY: Author: PLOT DATE: 10/09/2021 10:09 AM C:\Users\mapj\Documents\Thebarton Oval\Thebarton_Oval_Planet_2021_09_10.dwg (WBA)

EAST ELEVATION
1:200

REASON FOR	RE	DATE
Submitted for Consent	X	10/09/21

WALTER
BROOKE
ARCHITECTURE
LANDSCAPE ARCHITECTURE
MASTER PLANNING

THEBARTON OVAL PRECINCT
SANFL



ELEVATION	DRAWING
PRELIMINARY	SD-005
Issue Date	REVISION
1:200 @A3	PROJECT
	19-5776

From: Darren Chandler
Date: 2 May 2022 at 10:58:00 am ACST
To: Angelo Catinari
Cc: James Bayer
Subject: FW: Plans for Thebby Oval - oval to remain the same.

Hi Angelo

I will give you a call today to discuss.

If the SA Football Commission decided to remain at Thebarton Oval, then in the absence of the City of West Torrens investing into the precinct, SANFL would propose that it builds a facility with the current oval alignment as shown in the attached document.

This design is what we were working on prior to Council committing to re-aligning the oval. At this point we put this on hold and changed the design focus.

Obviously, without the Council investment, the car park would remain the same, there would be no new toilets etc. It would be just the new building and upgraded lighting.

Regards

Darren

Darren Chandler
Chief Executive Officer
Adelaide Oval | North Adelaide SA 5006

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- PROPOSED WORKS LEGEND
- A Phil Ridings Grand Stand
 - Existing Heritage Listed Grandstand retained. Refurbished for two new AFL regional standard changerooms.
 - B Proposed New Building
 - Two AFL State Standard Changerooms, Umpires, Gymnasium, Public Toilets, Bar, Kiosk, SANFL Offices, AdFL Offices, Function Room, Match Day Facilities
 - C Other Amenities
 - Toilets, Bar, Canteen, Soccer Club Building
 - D New Plaza Space
 - Removal of existing terraces and mounds to create views into the oval
 - E Existing Terraces
 - F Southern Entry Gate
 - Heritage Listed Southern entry gate framed with new plaza
 - G Eastern Entry Gate
 - H Kings Reserve Oval
 - I New team benches & player interchange
 - AFL standard, two team benches, official box and player interchange area
 - J Scoreboards
 - J1 Existing electronic scoreboard retained
 - J2 New small electronic scoreboard to Kings Reserve Oval
 - K Light Tower
 - KE Existing Light Tower Retained (Thebarton Oval)
 - KN New Light Tower (Kings Reserve Oval)
 - L Goal Nets
 - M New event day fence
 - Event day sections of fence shown dashed. able to be opened up when oval is not being used for events.
 - N Existing Stormwater detention
 - O Existing Bore & Pump House
 - P New picket fence to oval
 - AFL standard white picket fence around both ovals
 - Q Significant Tree
 - To be confirmed by arborist
 - R Car Parking

DRAWN BY: Andrew O'Donnell 11/08/2021 TO: SANFL SANFL (Client) Drawing: SD-001 Thebarton Oval 2021 - master V04.01

REASON FOR ISSUE	REV	DATE
Start up Updates	B	AUG. 2021
Scope Approval	C	31.08.21

PRELIMINARY

WALTER BROOKE ARCHITECTURE
INTERIOR DESIGN
LANDSCAPE ARCHITECTURE
MASTER PLANNING



THEBARTON OVAL PRECINCT
SANFL

PRECINCT SCOPE	DRAWING	SD-001
31.08.21	REVISION	C
1 : 1000 @A1	PROJECT	19-5776



REASON FOR ISSUE	REV	DATE
Reduced building Footprint	A	DEC. 2019
Scope Approval	B	31.08.21

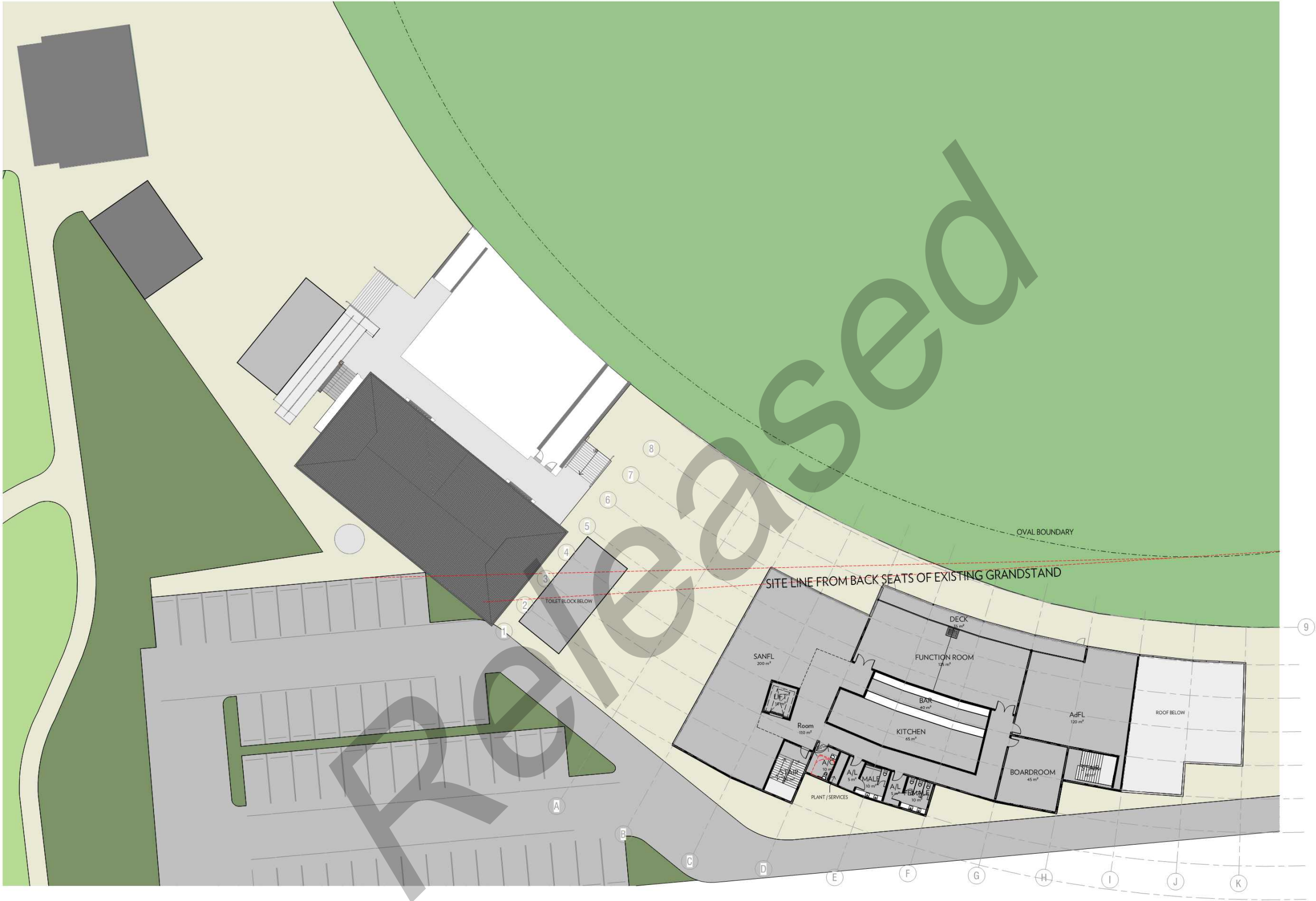
PRELIMINARY

WALTER BROOKE ARCHITECTURE
INTERIOR DESIGN
LANDSCAPE ARCHITECTURE
MASTER PLANNING



THEBARTON OVAL PRECINCT
SANFL

GROUND FLOOR PLAN	DRAWING	SD-002
31.08.21	REVISION	B
1: 200 @A1	PROJECT	19-5776



REASON FOR ISSUE

Reduced building Footprint

Scope Approval

REV

A

B

DATE

DEC. 2019

31.08.21

PRELIMINARY

WALTER BROOKE

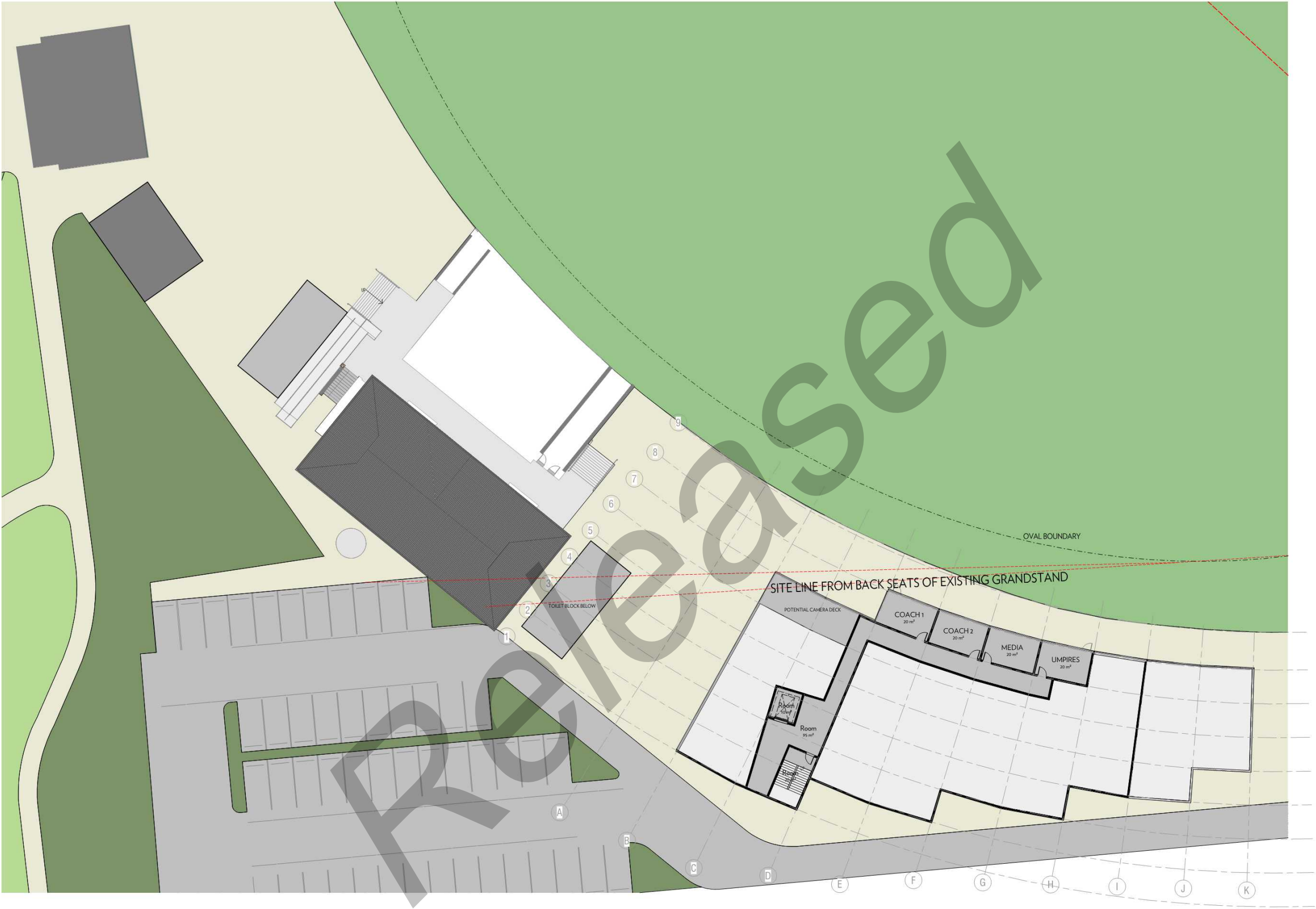
ARCHITECTURE
INTERIOR DESIGN
LANDSCAPE ARCHITECTURE
MASTER PLANNING



THEBARTON OVAL PRECINCT
SANFL

FIRST FLOOR PLAN	DRAWING	SD-003
31.08.21	REVISION	B
1:200 @A1	PROJECT	19-5776

DRAWN BY: Andrew O'Donnell DATE: 19/08/2020 SCALE: A1/C (Landscape) DOCUMENT ID: Thebarton Oval 2021 - master plan V04.01



REASON FOR ISSUE	REV	DATE
Reduced building Footprint	A	DEC. 2019
Scope Approval	B	31.08.21

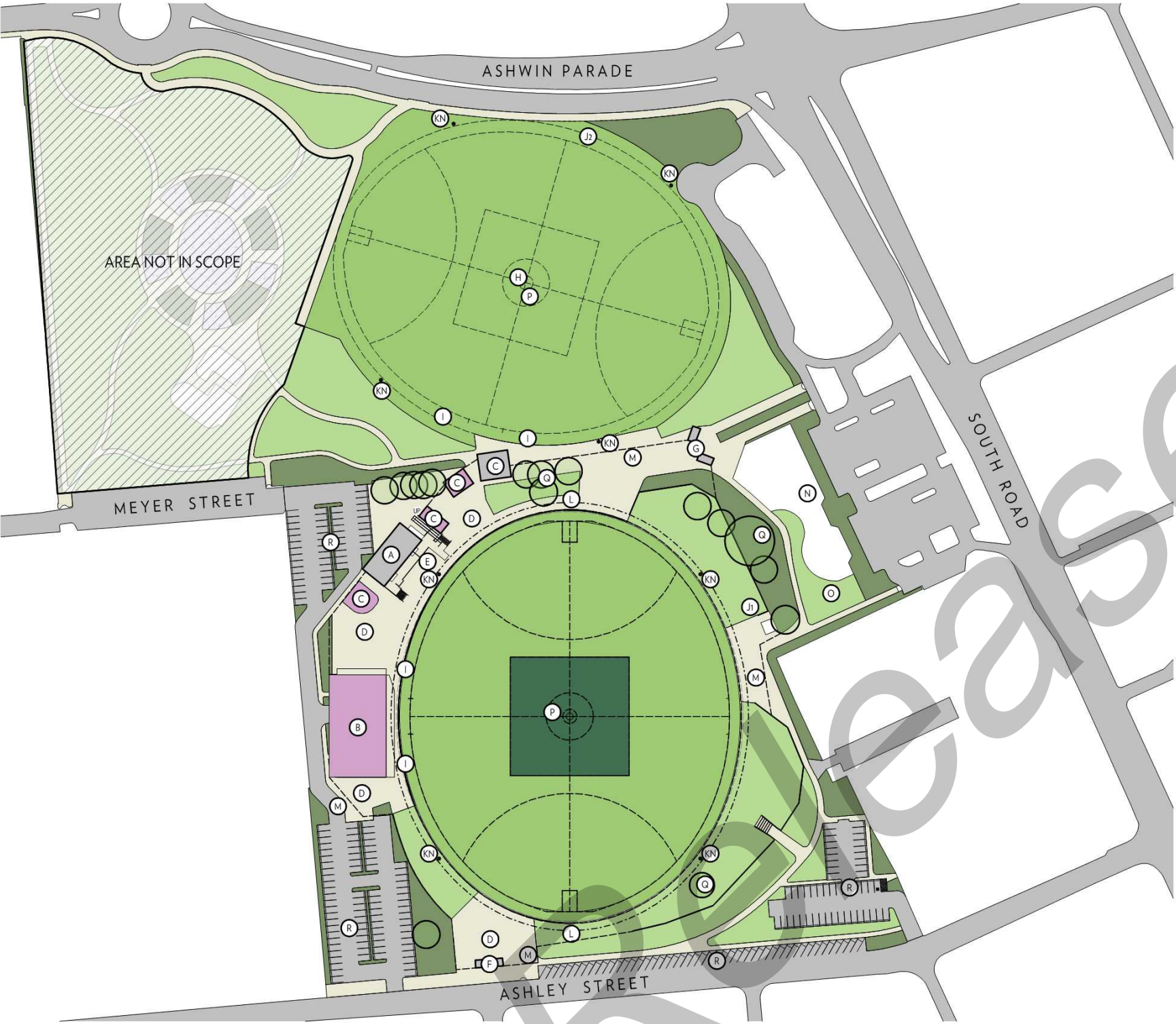
PRELIMINARY

WALTER BROOKE ARCHITECTURE
INTERIOR DESIGN
LANDSCAPE ARCHITECTURE
MASTER PLANNING



THEBARTON OVAL PRECINCT
SANFL

SECOND FLOOR PLAN	DRAWING	SD-004
31.08.21	REVISION	B
1: 200 @A1	PROJECT	19-5776



- PROPOSED WORKS LEGEND
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DRAWN BY: Andrew O'Donnell DATE: 31/08/21 10:37 AM Client: SANFL (Drawing) | Filename: Oval_Precinct_2021_Stage 01.dwg

REASON FOR ISSUE	REV	DATE
Scope Approval	A	31.08.21

PRELIMINARY

WALTER BROOKE ARCHITECTURE
INTERIOR DESIGN
LANDSCAPE ARCHITECTURE
MASTER PLANNING



THEBARTON OVAL PRECINCT
SANFL

RE-ALIGNED PRECINCT SCOPE	DRAWING	SD-005
31.08.21	REVISION	A
1 : 1000 @ A1	PROJECT	19-5776

Adelaide Football Club Ltd

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Member Services (08) 8440 6690

CROWmania (08) 8440 6600

Fax (08) 8347 3237



10 May 2022

His Worship The Mayor M Coxon

City of West Torrens

Email: mayorcoxon@wtcc.sa.gov.au

Dear Mayor Coxon

RE: LETTER OF INTENT / THEBARTON OVAL & KINGS RESERVE

Firstly, the Adelaide Football Club would like to acknowledge and thank the City of West Torrens for its proactive approach, support and patience, while the Club undertook a thorough process to identify a suitable site for its new state-of-the-art headquarters.

Relocating South Australia's biggest sporting organisation is a complex project with many stakeholders and factors that require consideration and appropriate due diligence.

This intergenerational project will impact our players, coaches, staff, corporate partners, and large member and supporter base, as well as the wider community.

Subject to being able to secure a long-term lease, sole occupancy, planning and funding support, Thebarton Oval and the Kings Reserve precinct has emerged as the preferred site for the Club's future home using our multi assessment criteria.

Over recent months, we have been able to reimagine the site and address challenges in what was the initial Thebarton Masterplan to now create a detailed concept, which we are referring to as the Torrens Sports Precinct.

The Torrens Sports Precinct can be a football-first facility of world class standard, encompassing elite training facilities and a home ground for the Club's highly successful women's team, and the potential to incorporate allied health services and Council's community centre on site.

Importantly, it will also underscore our commitment to the local area and provide outreach opportunities for the residents of the City of West Torrens.

We look forward to presenting our vision for the site to Elected Members later this month.

Yours sincerely

Hon John Olsen AO
CHAIRMAN