

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 CONFIDENTIAL

21.1 Response to the State Planning Commission on Glandore Character Code Amendment

Reason for Confidentiality

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

- (g) matters that must be considered in confidence in order to ensure that the council does not breach any law, order or direction of a court or tribunal constituted by law, any duty of confidence, or other legal obligation or duty.

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 21.1 - Response to the State Planning Commission on Glandore Character Code Amendment, attachments and any associated documentation submitted by the Chief Executive Officer, specifically on the basis of the provisions of Section 90(3)(g) because advice was received from the Attorney-General's Department suggesting for the matter to be considered in confidence.
2. At the completion of the confidential session the meeting be re-opened to the public.

Brief

This report presents the response to the State Planning Commission (SPC) on the potential loss of infill development if the proposed Glandore Character Code Amendment is progressed and approved.

RECOMMENDATION

It is recommended to Council that it approves the feedback contained in **Attachment 3** of the Agenda report to be submitted as Council's response to the request outlined in both **Attachments 1 and 2** of the Agenda report from the State Planning Commission.

FURTHER

1. In accordance with Sections 91(7) and 91(9) of the *Local Government Act 1999*, the Council orders that the Item 21.1 - Response to the State Planning Commission on Glandore Character Code Amendment, the Minutes arising, attachments and any associated documentation, having been considered by the Council in confidence under Section 90(3)(g), be kept confidential and not available for public inspection until such time as the publication of the Code Amendment on the Plan SA website, on the basis that advice was received from the Attorney-General's Department suggesting for the matter to be considered in confidence.
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 on 7 September 2021, Council resolved that it:

1. *Initiates a Code amendment process immediately which seeks to reduce the building height of the following parcels of land from a maximum building height of 8 levels (32.5 metres) to 3 levels (12.5 metres):*
 - 118A Anzac Highway, Glandore
 - 130-132 Anzac Highway, Glandore
 - 144 Anzac Highway, Glandore
 - 158 Anzac Highway, Glandore
 - 186 Anzac Highway, Glandore
 - 188 Anzac Highway, Glandore
 - 2A Stuart Street, Glandore
 - 192 Anzac Highway, Glandore
2. *Requests the Minister to approve an early commencement of this Code amendment to ensure that 8 level development is not facilitated on these allotments during the Code amendment process.*
3. *Allocates \$50,000 for the costs associated with undertaking this Code amendment.*
4. *Seeks to recover the cost of the Code amendment from the State Government.*

Subsequently, a Proposal to Initiate (PTI) the Glandore Character Preservation Area Code Amendment was submitted to the PlanSA Portal on 29 October 2021 and was considered by the SPC under matters for advice to the Minister on 9 December 2021.

The report has been put to Council in confidence due to advice received from the Attorney-General's Department. This is due to Council's request for early commencement of the subsequent Code Amendment on the basis that the early commencement is necessary in the interest of orderly and proper development of the affected area and to counter applications for undesirable development ahead of the considerations of the Code Amendment. Undesirable development being development that would detract from, or negate, the intent of the Code Amendment.

Discussion

In response to the PTI, the SPC wrote to Council on 20 December 2021 (**Attachment 1**) and again on 11 February 2022 (**Attachment 2**) to advise that the SPC was seeking to gain information on the following points to better inform the Minister for Planning and Local Government on the Proposed Glandore Character Preservation Area Code Amendment:

- Analysis of the loss of development potential that would result from back zoning the affected allotments, and an explanation of where other opportunities exist within the City of West Torrens for an alternate higher density land supply.
- An explanation about why development over eight storeys is not appropriate in this location, noting that design policies exist which seek to minimise impacts on nearby residential areas.

Following discussion and data sharing between Council's Administration and the Attorney-General's Department Planning, Land Use Services (AGD PLUS), **Attachment 3** was drafted to:

- provide an analysis on existing demand and land supply,
- infill trends,

- identify opportunity for infill development within West Torrens resulting from the implementation of the Planning and Design Code, and
- provide an explanation of the impact of 8 storey development in close proximity to the Glandore Character Area.

Key conclusions drawn from the analysis include:

- as a result of the implementation of the Code and subsequent Code amendments, there appears to be significant new opportunity for the development of infill residential development in the short to medium term both in West Torrens and in close proximity to the affected area in adjoining Council areas.
- whilst there is demand for small lot housing in the affected area, preference of consumers is for townhouses over apartments, particularly at 2-3 storeys rather than higher rise apartments.
- the back zoning presents an opportunity to minimise the visual impact and retain the amenity of the Glandore Character area, whilst still providing for medium rise dwellings that are in keeping with consumer preference evident in the affected area.

The PTI has identified that further investigations are proposed subject to the Minister supporting the PTI. The investigations identified in the PTI to be undertaken include:

- Identification of the current state of the character of Glandore and further exploration of the impact of an 8 level building height on the Glandore character; and
- Issues relating to interface and massing of 8 level maximum building height.

Whilst the attached analysis goes some way in addressing some of the investigations previously identified in the PTI, more thorough exploration is intended to be undertaken. Additional investigations under section 73(6)(f) of the Act may be requested to be undertaken in addition to those outlined in the PTI, including in response to feedback or advice received through the PTI review and engagement process.

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 from consideration of this matter.

Conclusion

Attachment 3 is presented to Council with it sought that this be endorsed as Council's response to SPC's request for additional information to be provided to the Minister to support the proposed Glandore Character Preservation Area Code Amendment.

Attachments

1. Letter from Craig Holden (SPC) to Mr Terry Buss PSM CEO City of West Torrens
2. SPC Chair to CEO City of West Torrens
3. DRAFT Glandore Code Amendment Response

OFFICIAL

2021/17343/01
18136261

20 December 2021

Mr Terry Buss PSM
Chief Executive Officer
City of West Torrens

By email:

Dear Mr Buss

Glandore Character Area Preservation Code Amendment

I write to you in relation to your request to the Minister for Planning and Local Government (the Minister) to initiate the Glandore Character Area Preservation Code Amendment. The State Planning Commission (the Commission) has considered the Proposal to Initiate with the intent to provide advice to the Minister pursuant to section 73(2)(b)(iv) of the *Planning, Development and Infrastructure Act 2016*.

The Commission acknowledges the City of West Torrens' intent to protect the values of the nearby Glandore Character Area. However, the Commission also notes the strategic importance of corridors, such as Anzac Highway, in providing valuable, inner metropolitan infill opportunities which contribute to housing diversity and affordability, and reduce pressure on our urban fringes.

The Commission understands that the original policy drafting has had unintended consequences, and therefore requests the following additional information to help inform its advice to the Minister:

- Analysis of the loss of development potential that would result from back zoning the affected allotments, and an explanation of where other opportunities exist within the City of West Torrens for an alternate higher density land supply.
- An explanation about why development over eight storeys is not appropriate in this location, noting that design policies exist which seek to minimise impacts on nearby residential areas.

On receipt of this additional information, the Commission will reconsider the matter and will advise the Minister accordingly.

Yours sincerely



Craig Holden
Chair



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saplanningcommission@sa.gov.au

OFFICIAL



18257201

11 February 2022

Mr Terry Buss PSM
Chief Executive Officer
City of West Torrens

Level 5, 50 Flinders Street
Adelaide SA 5000

GPO Box 1815
Adelaide SA 5001

08 7109 7466
saplanningcommission@sa.gov.au

By email:

Dear Terry

Request for further information – Glandore Character Area Preservation Code Amendment

Thank you for your letter of 21 January 2022 to the State Planning Commission (the Commission) seeking further clarification on the Commission's request for further information in relation to the Glandore Character Preservation Area Code Amendment.

As outlined in my previous correspondence, the Commission holds some reservations about the potential loss of infill opportunities in the area affected, and is therefore seeking further information in order to gain a better understanding of the implications of the proposed changes to the Planning and Design Code to inform the advice it provides the Minister for Planning and Local Government (the Minister) on the proposed Code Amendment.

In particular, the Commission would like to understand the potential impacts on residential yields, considering development of up to eight storeys on the affected allotments versus that offered by the proposed zoning framework. In addition, the Commission seeks advice from the City of West Torrens (the Council) on where it sees its growth and infill opportunities – either located within existing corridor/neighbourhood zoned land, or any other sites which Council may have identified through strategic planning exercises which could be rezoned in future.

The Commission is advised that officers from the Planning and Land Use Services division of the Attorney-General's Department have made contact with Council's administration to arrange a meeting to discuss the details of this work in further detail. Council administration may also wish to discuss other matters relating to Code Amendments at this juncture.

The Commission looks forward to obtaining additional information on the proposed Code Amendment and finalising advice regarding it for the Minister.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Craig Holden', written over a grey rectangular background.

Craig Holden
Chair

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Glandore site analysis (2022 : DASR745)

Introduction

In order to understand the context of any potential loss to dwellings from back zoning (sic) the affected allotments in line with the consultation version of the Code, there needs to be consideration of:

- prior Development Plan Amendments (DPA) and their impact on dwelling numbers rezoning through standardisation of zones implemented with the Code resulting in increased density, and
- Code Amendments in both West Torrens and adjacent councils and other strategic parcels of land earmarked for residential development.

Development Plan Amendments and Development Assessment Tracker Data

Since 2015, there has been 2,678 new dwellings built in the City of West Torrens, equating to around 380 dwellings a year. Some of these new dwellings have replaced demolished houses but the majority should be considered as infill housing. The map below shows that these new dwellings have been built all across the whole Council area. Anzac Highway however, has seen a high level of townhouse and apartment building activity over this period (2015 to current), primarily due to the zoning over a large portion of the land surrounding the Highway now encompassed by the Urban Corridor Boulevard Zone (introduced via the Housing Diversity DPA Part 2 in 2015).



Figure 1: Dwellings Built in City of West Torrens since 2015

Development in the Urban Corridor Boulevard Zone, since 2015, has been looked at below in more detail using data from the AGD 3D Development Activity Tracker.

Development Activity Tracker (DAT) data

[Development Activity Tracker](#) identifies that since 2015 in the Urban Corridor Boulevard Zone in the City of West Torrens there have been 24 major townhouse or apartment buildings built, currently under construction or approved. These buildings have potential for 431 dwellings. The 3 completed apartment buildings contain 90 dwellings and the 8 completed townhouse developments have provided 78 dwellings. Currently under construction are 2 apartment buildings with a further 95 dwellings and 5 townhouses with 52 dwellings. Below is an analyses of the number and type of dwellings:

Type of Development	Number of Dwellings	Number of Developments
Apartments	252	7
Approved	67	2
Completed	90	3
Under construction	95	2
Townhouses	179	17
Approved	49	4
Completed	78	8
Under construction	52	5
Total	431	24

Most of the recent developments analysed are 3 storey developments with 14 out of 17 townhouse developments being 3 storey, whilst only one of the 7 apartment buildings is less than 5 storeys.

Number of Dwellings by Number of Storeys	2	3	4	5	6	7	8	9	Total
Apartments		36		54	20	32	35	75	252
Townhouses	15	152	12						179
Total	15	188	12	54	20	32	35	75	431

Number of Developments by Number of Storeys	2	3	4	5	6	7	8	9	Total
Apartments		1		2	1	1	1	1	7
Townhouses	2	14	1						17
Grand Total	2	15	1	2	1	1	1	1	24

Of these 24 developments the average number of dwellings by type is just over 10 for townhouse developments and 36 for Apartment buildings.

Row Labels	Average of Number of dwellings
Apartments	36
Townhouses	10.5
Grand Total	18.0

Most apartment buildings have car parking and, sometimes, a retail component on the ground floor thus the ground level of these developments contain few, if any, dwellings. This will slightly minimise the dwelling loss if developments are restricted to 3 storeys in lieu of 8 storeys due to the ground floor in high-rise apartments not providing for residential land use.

Nearly all 3 storey developments in the table above are townhouse developments, not Apartment Buildings. Townhouses are multi storey (usually 2-3 storeys) and are ground floor to top of the building, whereas apartment buildings have multiple dwellings on each floor and each dwelling is generally accessible from a common hallway or foyer. 222-224 Anzac Highway is an example of a 3 storey apartment building, as shown in attachment 1. Attachment 1 provides information of the dwelling typologies for applications approved in the Urban Corridor Boulevard Zone since 2015.

Anecdotally, and corroborated by the Development Activity Tracker data shown in the above tables, there is a greater number of townhouse development applications over apartments, with a clear preference for 2-3 storeys townhouses over high rise apartments in this locale. The data provided matches what is being heard from community.

Understandably, concern around loss of yield should be considered, noting that high-rise apartments provide a greater dwelling yield as shown by the total number of dwellings to development ratio. The potential loss of dwelling yield is minimal when considering the built form of apartments generally not providing dwellings on the ground floor, developer preference for the lower end of medium rise townhouses and increased land supply brought about through the implementation of the Code and subsequent Code amendments.

Implementation of the Planning and Design Code

The Code brought in a number of standardised Zones, namely, and of significant consequence to West Torrens, was the General Neighbourhood Zone (GNZ) which replaced Council's Low Density Policy Area 20 (PA 20) and Low Density Policy Area 21 (PA21). Below is a comparison table of Policy Area 21 to General Neighbourhood Zone:

Current Development Plan
 New Planning and Design Code

The following information is applicable to Residential Low Policy Area 21

Land division comparison

	Residential Low Density 21		General Neighbourhood	
	Site area (m ²)	Frontage (m)	Site area (m ²)	Frontage (m)
Detached (>400 from centre zone)	420	12	300	9
Semi-detached (>400 from centre zone)	420	12	300	9
Group dwelling (>400 from centre zone)	Not envisaged	Not envisaged	300	15
Residential Flat Building (>400 from centre zone)	Not envisaged	Not envisaged	300	15
Row dwelling (>400 from centre zone)	Not envisaged	Not envisaged	250	7
Detached (<400 from centre zone)	350	9	300	9
Semi-detached (<400 from centre zone)	350	9	300	9
Group dwelling (<400 from centre zone)	Not envisaged	Not envisaged	300	15
Residential Flat Building (<400 from centre zone)	Not envisaged	Not envisaged	300	15
Row dwelling (<400 from centre zone)	350	9	250	7

Table 1: Comparison of Development Plan to GNZ

Both PA20 and PA21 contained in the rescinded Development Plan were characterised as low density policy areas. The desired character identified that there was an intent to preserve this characteristic and that this was controlled in part by lot size but also through the anticipated dwelling typology.

Detached dwellings were primarily envisaged and other forms of dwellings (row dwellings, semi-detached dwellings) typically anticipated only within a 400m proximity to Centre Zones. The General Neighbourhood Zone (GNZ) as per *Guide to the Draft Planning and Design Code* (State Planning Commission, 2019) stated:

'This zone encourages a range of housing diversity and supply. Other non-residential uses, including small scale office and consulting rooms, and a range of community facilities, including education, recreation and community centres, will also be encouraged.'

'Development will generally retain a suburban character and scale of 1 or 2 building levels.'

The Code policy is reflective of the above intent mentioned, aside from different site parameters (site area etc.), dwelling typologies also expanded. Policy implemented through the Code was not the like for like policy anticipated, it did not align with the policy intent of that was contained within West Torrens Development Plan for the two policy areas.

Images 1 and 2 below provide an example of the extent of infill that could be anticipated as a result of the introduction of GNZ. The example is located at Barrow Crescent, Lockleys (located in PA 21), which previously had limited subdivision potential and anticipated primarily detached dwellings on regular allotment with street frontage (i.e. Not a hammerhead/battle axe).



Image 1: Barrow Crescent, Lockleys

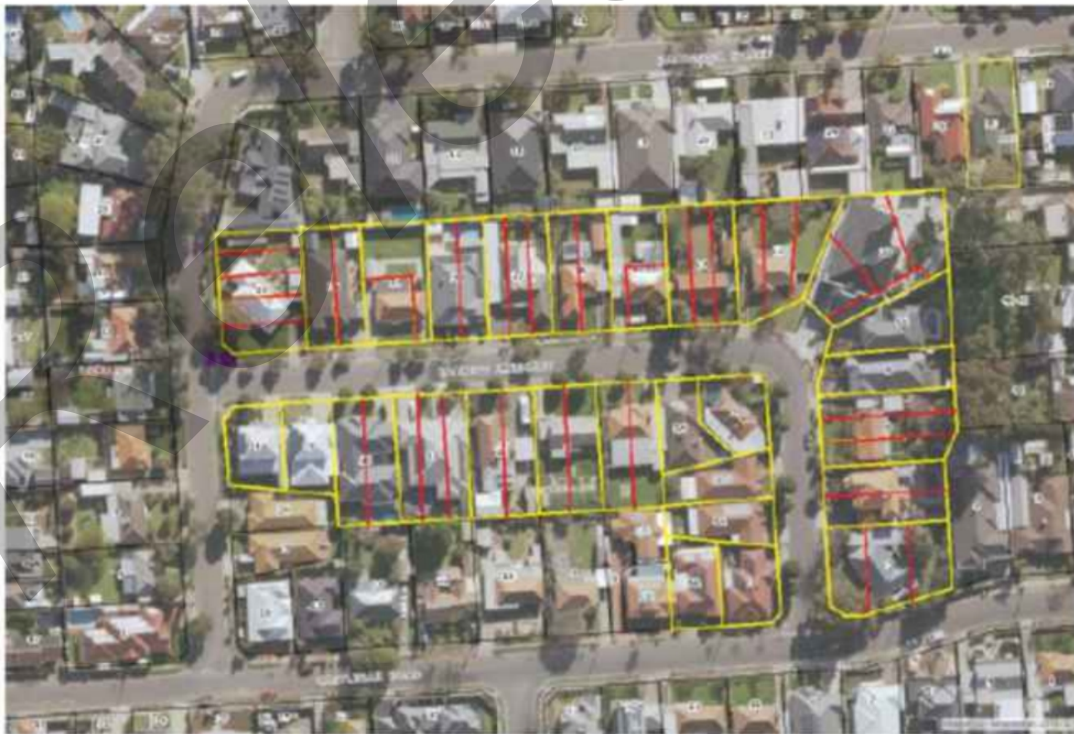


Image 2: Barrow Crescent, Lockleys subdivided in line with General Neighbourhood Zone lot size and dwelling type

Whilst the implementation of GNZ was not supported by Council, it does present significant change from previous planning policy and an opportunity within the City of West Torrens for an alternate higher density land supply than that provided by the City of West Torrens Development Plan. Attachment 2 highlights some of the issues raised during consultation on the implementation of the General Neighbourhood Zone.

Code Amendments

A number of current Code Amendments, at their various stages, present increased opportunity for medium-high density residential development both within West Torrens and adjacent Councils. Whilst Council has not supported the Code Amendments in West Torrens in their totality, they have presented an opportunity through rezoning for residential land to be realised in line with the urban regeneration and housing supply goals of *The 30-Year Plan for Greater Adelaide* (2017 update).

Code Amendments in West Torrens

Consulted:

- **Lockleys Code Amendment**

Overview (PlanSA):

The Affected Area is presently within the Employment Zone and contains the Westpac Mortgage Centre and the Lockleys Child Care and Early Learning Centre. The Designated Entity has a vision to establish a medium density residential development on the Affected Area. This vision necessitates the Affected Area being rezoned from the Employment Zone to an alternate and appropriate neighbourhood-type zone. The Urban Neighbourhood Zone has been identified as an appropriate zone for the purposes of the Code Amendment.

The rezoning will facilitate the redevelopment of the Affected Area from an intensive commercial use to a primarily medium density residential use with smaller low scale non-residential uses that provide services to support the local community. The future redevelopment of the site in this way will provide opportunities to significantly improve the amenity of the locality and pedestrian linkages to the River Torrens Linear Park, together with opportunities to reduce hard paved surfaces on the site, increase impervious surfaces and allow opportunities to provide public open space.

In addition, the proposed rezoning aligns with a number of relevant State Planning Policies in relation to integrated planning (including housing density, diversity and affordability), design quality, employment lands, strategic transport infrastructure (including opportunities for non-car dependent travel), natural hazards and water quality. It also aligns with a number of relevant policies within *The 30-Year Plan for Greater Adelaide*. In particular, the Code Amendment correlates with *The 30-Year Plan* policies in respect to transit corridors, growth areas and activity centres, design quality, housing mix, affordability and competitiveness, health, wellbeing and inclusion, the economy and jobs and transport.

The Urban Neighbourhood Zone identifies that medium density (35-70 dwelling units per hectare), and high density (greater than 70 dwelling units per hectare) accommodation are envisaged. This can either be as part of a mixed use development or wholly residential development. The Proposal to Initiate identified potentially 144-216 apartments and 139 dwellings (presumably detached, semi-detached or terrace). Combined this is potentially 355 additional dwellings in Lockleys (subject to development consent).



Image: Concept plan included in Westpac Mortgage Centre Lockleys Development Plan Amendment Transport Investigations prepared by Cirqa (version draft)

Finalised:

- **65-73 Mooringe Avenue, Plympton Code Amendment**
Overview (PlanSA):

This Code Amendment rezoned 1.2 hectares of disused industrial land at 65-73 Mooringe Avenue, Plympton, to facilitate development of the site for residential purposes. The land has undergone significant remediation to ensure it is suitable for residential use.

The amended zone is Housing Diversity Neighbourhood, which envisages medium density housing to support a range of needs and lifestyles within easy reach of a diversity of services and facilities.

The subject land has the potential to be a key strategic infill site, offering the opportunity for increased density and a diverse range of housing options, providing affordability and choice to better meet the changing needs of the community.

Rezoning of the site supports the urban regeneration and housing supply goals of The 30-Year Plan for Greater Adelaide (2017 Update) by utilising established urban areas for residential infill development and encouraging population growth in proximity to community infrastructure and services.

The Housing Diversity Neighbourhood Zone supports medium density housing (35-70 dwelling units per hectare). Below is concept plan provided during consultation identifying 82 allotments (subject to relevant assessment and consents).



Image: Concept Plan from PTI prepared by Mud Environmental Civil Earthworks Environmental Management Plan date 1 December 2020

Code Amendments in Close Proximity to West Torrens

Below is a list of Code amendments within close proximity albeit adjacent Local Government Areas that seek to increase housing diversity and residential land supply through Code amendment.

City of Charles Sturt

Initiated:

- **Kidman Park Residential and Mixed Use Code Amendment**

Overview (PlanSA):

The proposed Code Amendment will investigate the potential rezoning of the Affected Area involving land identified as 406-412 and 414-450 Findon Road, Kidman Park and 5 and 7 Valetta Road, Kidman Park. The Affected Area includes the former Metcash site as well as two additional land parcels on Valetta Road. The proposed Code Amendment will investigate a rezoning of the Affected Area from its current Strategic Employment Zone to a Zone(s) that will facilitate mixed use development in the form of residential uses and commercial opportunities. The proposed Code Amendment seeks to implement key targets of The 30-Year Plan for Greater Adelaide by providing opportunity for increased housing diversity in proximity to established community infrastructure and services.

- **West Lakes Residential and Mixed Use Code Amendment**

Overview (PlanSA):

The proposed Code Amendment will investigate the potential rezoning of the Affected Area involving land identified as Lots 100 and Lots 101 Frederick Road, West Lakes (the Affected Area). The Affected Area has been utilised as the 'Port Adelaide Wastewater Treatment Plant' for SA Water (formerly the Engineering & Water Supply Department) from 1935 until 2004 when it was decommissioned. The decommissioned infrastructure (which was part of the waste-water treatment process) remains on the land. Lot 100 is now surplus to SA Water's infrastructure requirements, with SA Water owning and operating a new re-lift waste-water pumping station built adjacent the southern boundary of the old plant on Lot 101 (on the north-western corner of Frederick Road and Lochside Drive) which is to remain in an Infrastructure Zone.

The Code Amendment will investigate a rezoning of the Affected Area (Lot100) from its current Infrastructure Zone to a Zone(s) that will facilitate mixed use development in the form of residential uses and commercial opportunities. The Code Amendment seeks to implement key targets of *The 30-Year Plan for Greater Adelaide* by providing opportunity for increased housing diversity in proximity to established community infrastructure and services.

Consultation completed:

- **Kilkenny Mixed Use (Residential and Commercial) Code Amendment**

Overview (PlanSA):

This rezoning process was commenced as a Development Plan Amendment (DPA) under the old planning system. If approved, the intent of the rezoning will be transitioned directly into the Planning and Design Code as a Code Amendment.

The focus of the DPA is to rezone the existing Urban Employment Zone in Kilkenny, north of the railway line. The affected area is proposed to be rezoned to facilitate higher density residential and mixed use development.

The DPA investigations confirm that the land is suited to residential infill and can be economically serviced. The draft DPA considers preferred building heights, transport, environmental noise, stormwater management, infrastructure and public open space.

*City of Marion***Initiated:**

- **Morphettville/Glengowrie Horse Related Activities Code Amendment**

Overview (PlanSA):

The City of Marion is proposing to amend the planning policy relating to land within the Suburban Neighbourhood Zone located adjacent the Morphettville Racecourse on the southern side of Bray Street in Morphettville and the western side of Morphett Road in Glengowrie.

The area was previously covered (under the former Development Plan) by the Residential Racecourse Zone, which provided the opportunity for the stabling of horses and residential use on the same property. The zone specifically sought detached dwellings at low densities in association with a range of horse related activities, with minimum allotment sizes of 560m² and a 15m frontage.

Under the Planning and Design Code, the area has been rezoned to the Suburban Neighbourhood Zone. The policy within this zone no longer refers to horse related activities, nor is there a requirement for only detached dwellings, but it does maintain the minimum 560m² site area and 15m frontage, which restricts opportunities for subdivision.

The South Australian Jockey Club (SAJC) will soon construct additional stables within the adjacent racecourse property (corner of Bray Street and Morphett Road). It is understood that a number of stable owners in the subject area are considering relocating into these new stables if the sale of their current property is financially viable.

Council is therefore considering changes to the zoning of the subject land that will provide the opportunity for residential development at higher densities to be constructed. Council believes that providing a greater diversity of housing choice for the community in the area is worthy of further consideration.

The current necessity to walk horses through and across streets to the racecourse (particularly Bray Street and Morphett Road) is a potentially dangerous practice for both horses and motorists. The removal and/or reduction of stables and horse related activities from the surrounding streets, and into the racecourse, would most certainly result in a safer environment.

*City of Unley, Town of Walkerville, City of Campbelltown, City of Burnside and City of Prospect***Initiated:**

- **Future Living Code Amendment**

Overview (PlanSA):

The Future Living Code Amendment seeks to enhance housing diversity by providing housing options for smaller household types and responding to the ageing demographics of the State's population by providing greater opportunities for ageing in place. Applies to certain residential areas within the City of Unley, Town of Walkerville, City of Campbelltown, City of Burnside and City of Prospect, and investigations will consider whether it will also extend to other local government areas.

City of Unley

- **LeCornu/Kaufland Site, Anzac Highway**

Overview (RenewalSA):

Renewal SA ([Iconic Forestville site offered to development market » Renewal SA](#)) has stated that the iconic Forestville site offered to development market:

"One of Adelaide's last remaining vacant city fringe locations – the former Le Cornu site at Forestville – is now being offered for sale by Renewal SA.

The site offers 3.6 hectares of land with primary frontage onto Anzac Highway and is being made available through an Expression of Interest released today (31 March 2021) following the State Government's purchase of the vacant lot in October 2020.

Considered ideal for a mixed-use development with high-quality public open spaces, medium to high-density residential development and neighbourhood-scale shopping and associated commercial opportunities, the site is well serviced by existing transport infrastructure."

Kaufland is no longer developing a supermarket on this site, now presents increased opportunity for infill development including as it currently stands up to 6 storeys in height.

Conclusion

As highlighted by the implementation of the Code and Code amendments, there appears to be significant new opportunity for the development of infill in the short to medium term.

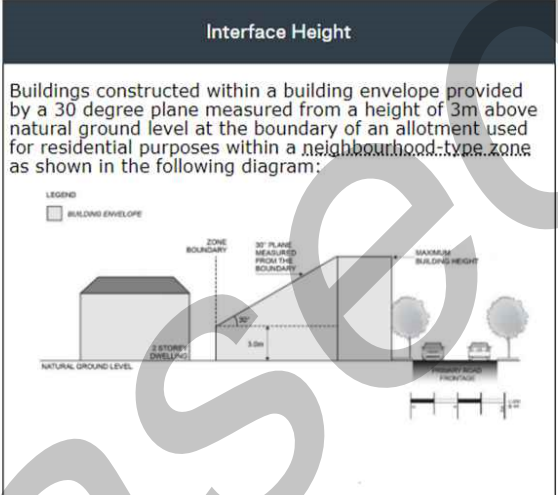
The back zoning presents an opportunity to minimise the visual impact and retain the amenity of the Glandore Character area, whilst still providing for medium rise dwellings that are in keeping with consumer preference evident in the affected area.

It is not believed that the proposed amendment would have a materially adverse impact on the availability of sites for medium to high-density residential development within the City of West Torrens. In addition to the Code Amendments highlighted above and recognition of the limited loss of yield, there are still large parcels of land that are being developed for medium-high density residential development presently, including the former Marleston TAFE already suitably zoned, and the Morphettville Race Course.

Looking to the future, the West End Brewery site, which is yet to be rezoned but currently under investigation for a Code amendment also presents an opportunity for significant infill development and increased housing within West Torrens. Consequently, we are of the view that this more than compensates for any loss to yield across West Torrens in the event of the back zoning of the subject parcels of land.

Visual Impact on Glandore Character Area of High/Medium Rise Development

The Code does apply local variation through the Interface Height on the affected sites. The relevant PO and DTS/DPF is shown below as contained in the Zone:

Interface Height	
<p>PO 4.1</p> <p>Buildings mitigate impacts of building massing on residential development within a neighbourhood-type zone.</p>	<p>DTS/DPF 4.1</p> <p>Buildings constructed within a building envelope provided by a 30 degree plane measured from a height of 3m above natural ground level at the boundary of an allotment used for residential purposes within a neighbourhood-type zone as shown in the following diagram:</p> 

It is not clear whether the application of the DTS/DPF is relevant when the subject land is not located on the neighbourhood-type zone boundary, primarily due to the depiction of the application of the 30 degree plane. If the DTS/DPF remains relevant irrespective of being located on or away from the neighbourhood-type zone boundary, the interface height would limit the building height to be more closely aligned with what is sought through the Code Amendment. For example, if DTS/DPF 4.1 is applicable at 130-132 Anzac Highway Glandore, then the reality of 32.5 metre high building being realised is unlikely and the application of a TNV of 8 storeys misleading to land owner and adjacent owners/occupiers. Consideration of the following should be given:

- Diagram representation should be undertaken to clearly demonstrate other instances that may be relevant for the enactment of this DTS/DPF e.g. second diagram to show extent of application of 30 degree plane to accommodate development on allotments that are not on the zone boundary;;
- Additional DTS/DPF that speak to mitigation of building mass besides building height e.g. building forms, colour and materials of a more domestic nature to provide a suitable transition; and
- Alignment of maximum building height TNV to reflect interface height restrictions to provide more accurate planning policy within the Code.

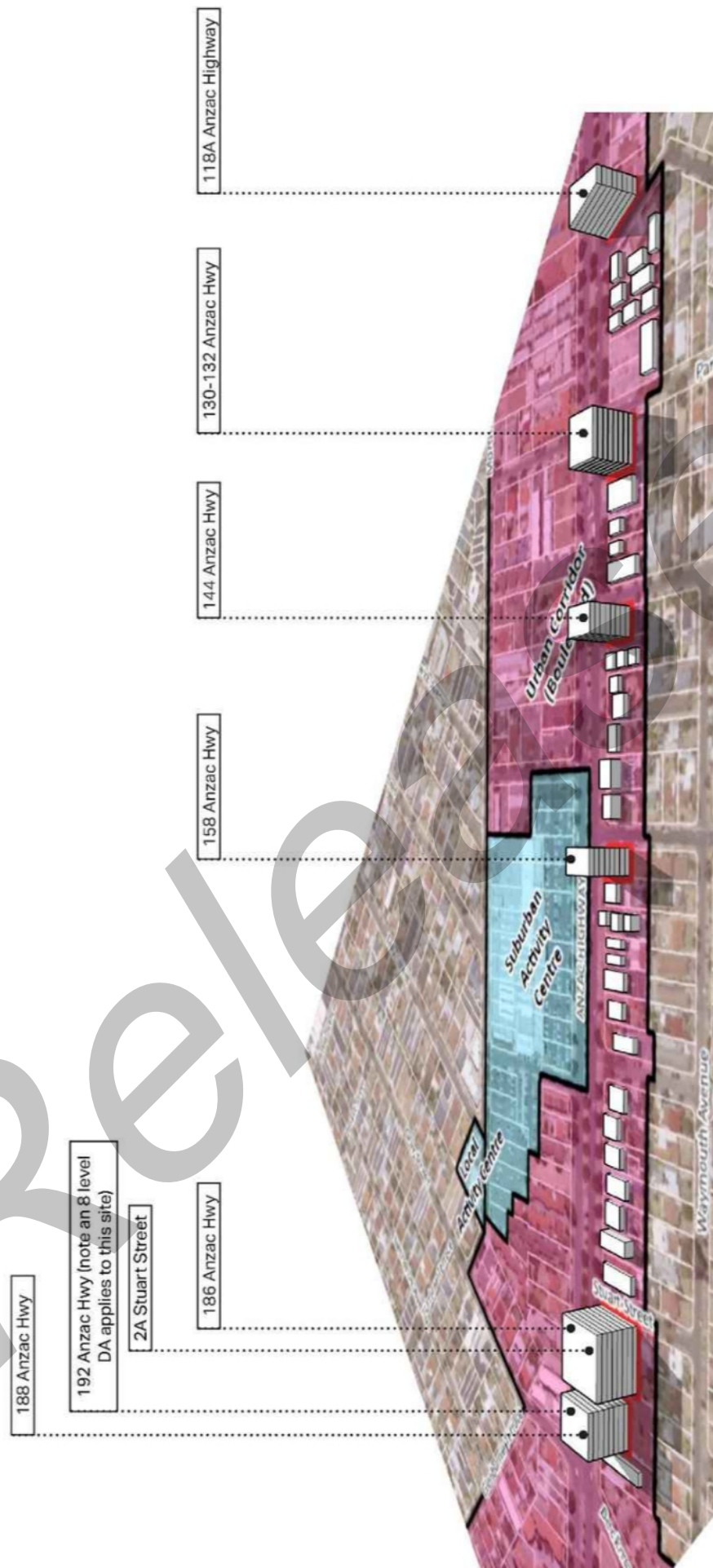
The impact of the 8 storey maximum height is two-fold. There are impacts on both the surrounding Urban Corridor Boulevard Zone and the adjacent Established Neighbourhood Zone (Glandore Character Area).

Looking at the Urban Corridor Boulevard Zone, there is a need to consider the desired future streetscape and how having randomly spaced individual lots at 8 levels while the remainder of this section of Anzac Highway is at 3 storeys on this side presents an awkward and incoherent streetscape. This is made worse by the large difference in potential heights between forms due to interface provisions.

Whilst the outcome of the existing controls implemented by the 8 storey TNV is potentially an abrupt transition from 8-storey built form to predominantly 1-storey, low-density residential built form in a manner which is inconsistent with the existing character and amenity of the Glandore Character Area. The cumulative impact of a series of up to 8-storey buildings along the southern side of Anzac Highway would be the creation of a wall defining the northern boundary of the Glandore Character Area, substantially detracting from the amenity and character of existing residential areas through visual impact, overshadowing and potential overlooking. The visual impact of the 8 storey built form and subsequent overshadowing is evident in the following images on adjacent lands in the Glandore Character Area.

The anomaly in policy that has given rise to the 8 storey building height, noting that the anomaly was rectified in the original Code, has been ongoing for several years. Attachment 3 is a copy of Council's letter dated 18 August 2017 which provided objection to the 8 storey development possibility at Glandore. The letter highlights that an 8 storey building height is contrary to the intention of policy in the now rescinded West Torrens Development Plan.

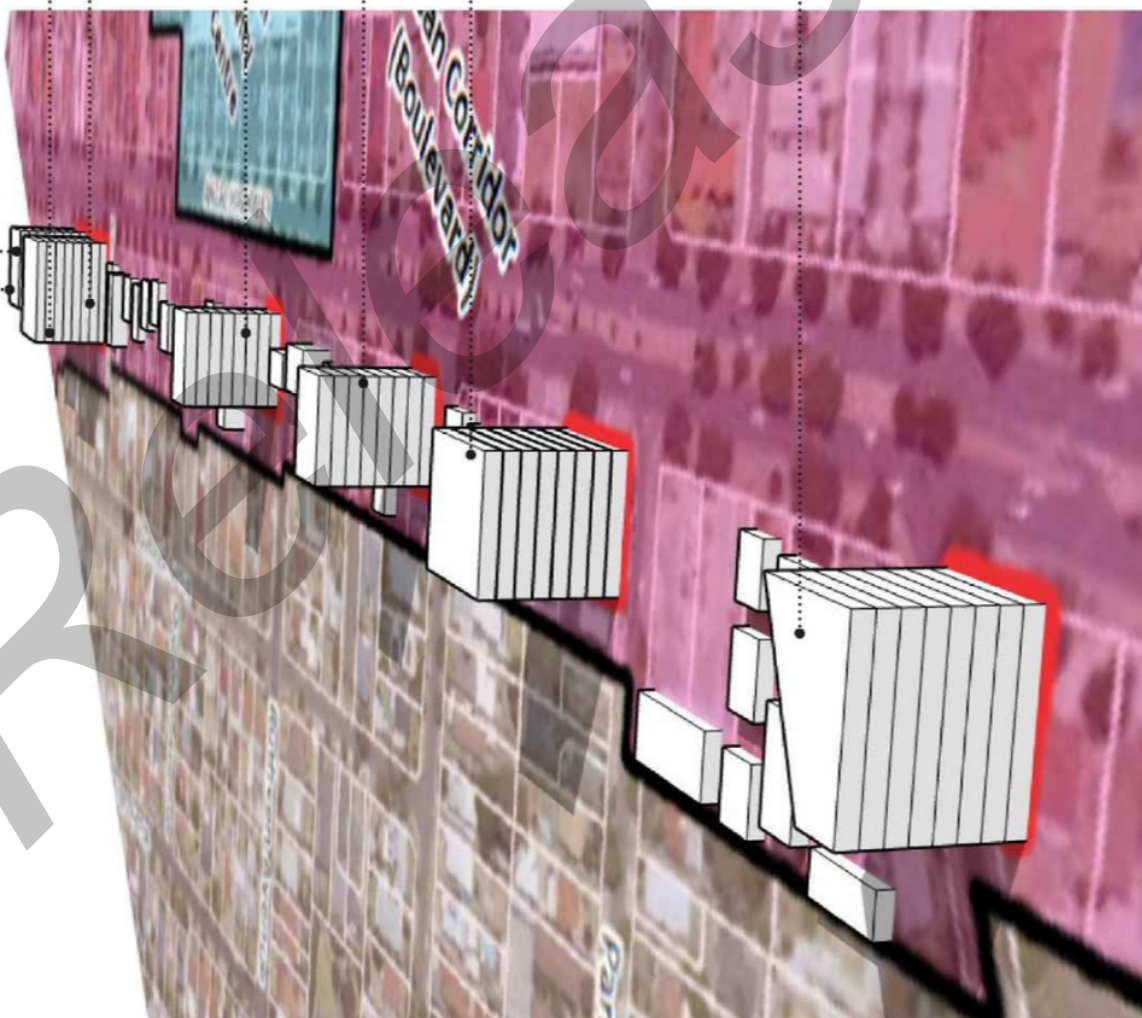
Consideration of why development over eight storeys is not appropriate in this location or even at a building height/level greater than 3 storeys is quickly evident on review of the points above.



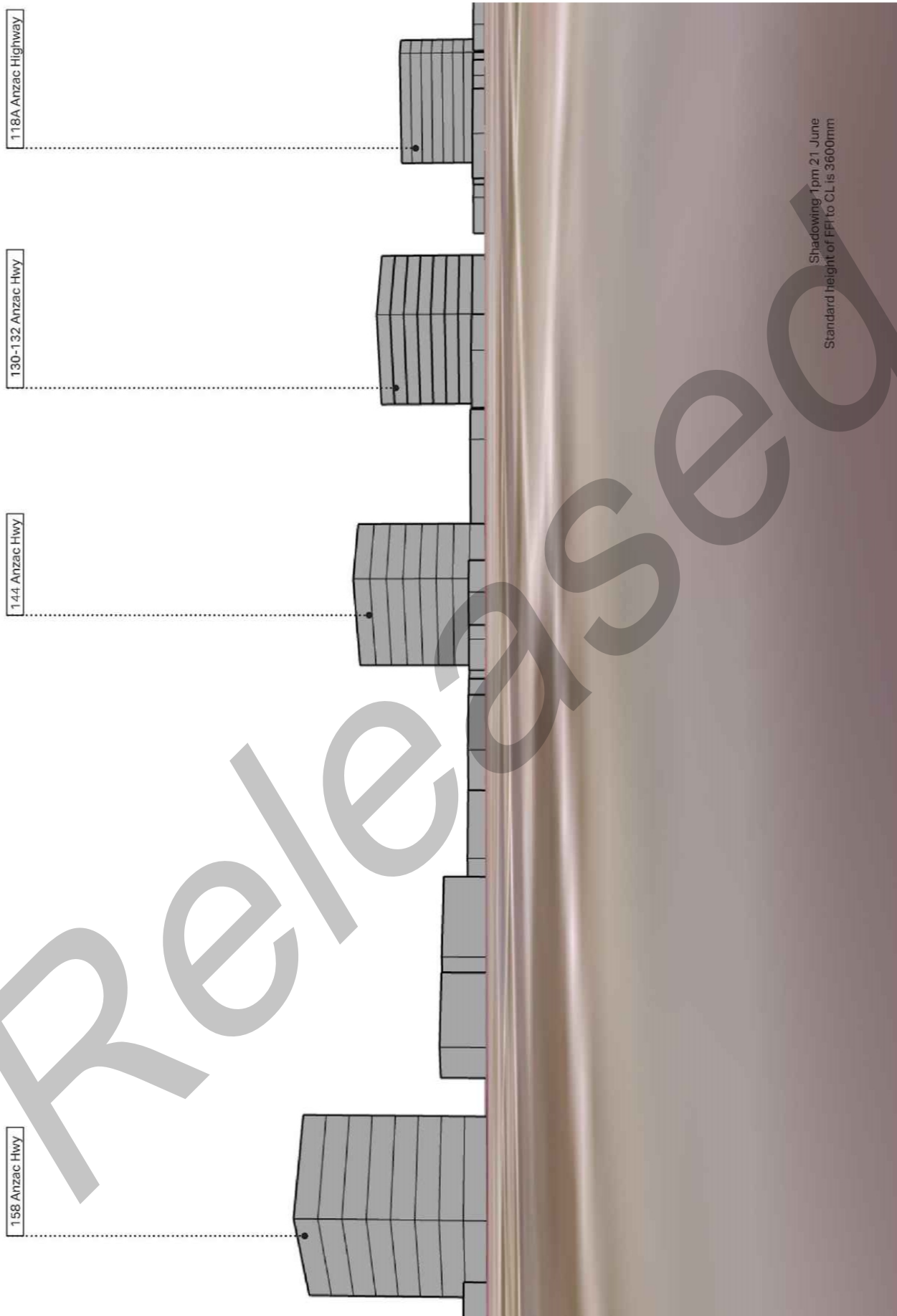
Shadowing 1pm 21 June
Standard height of FFI to CL is 3600mm

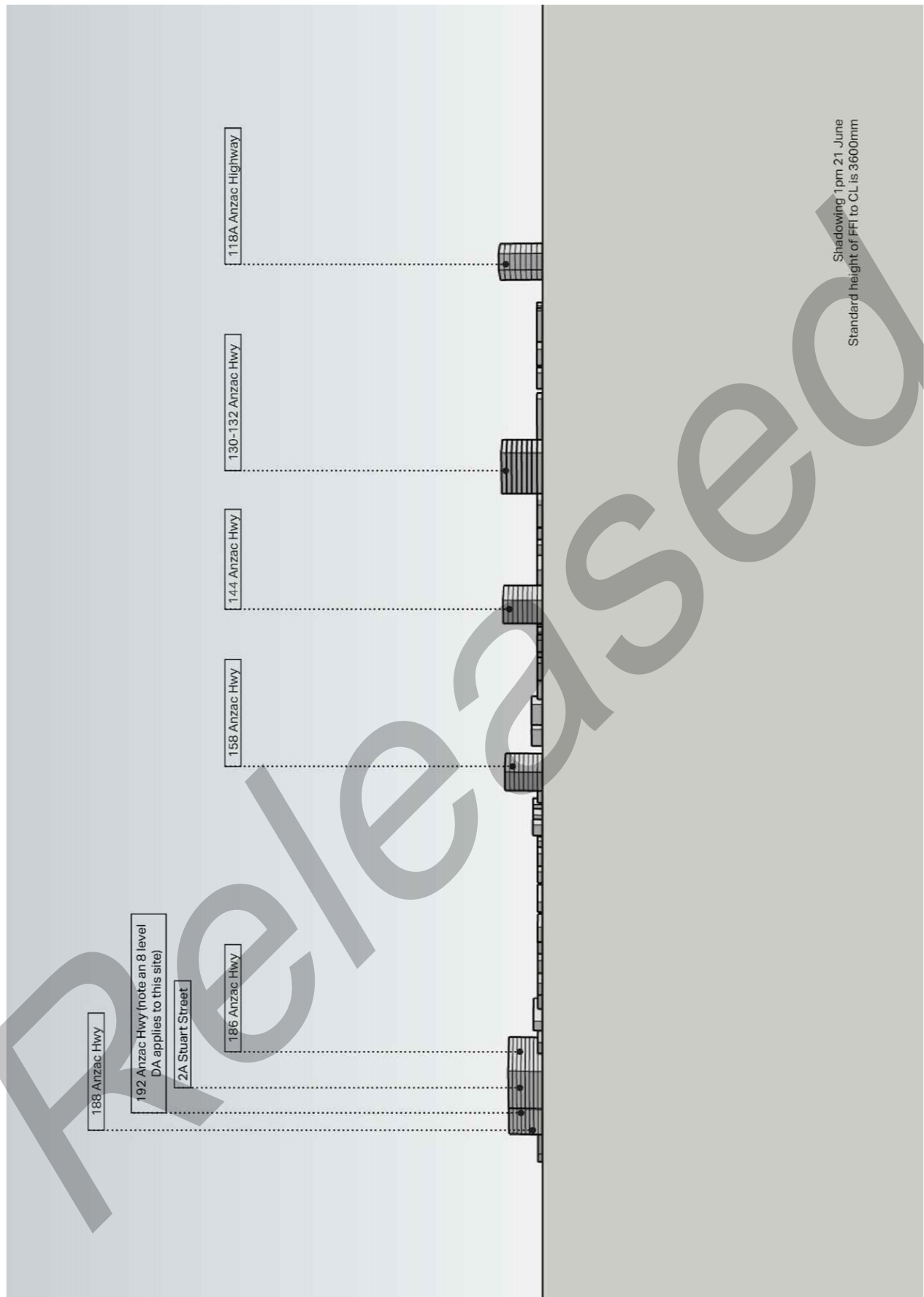


- 188 Anzac Hwy
- 192 Anzac Hwy (note an 8 level DA applies to this site)
- 2A Stuart Street
- 186 Anzac Hwy
- 158 Anzac Hwy
- 144 Anzac Hwy
- 130-132 Anzac Hwy
- 118A Anzac Highway



Shadowing 1pm 21 June
Standard height of FFI to CL is 3600mm









Attachments:

Attachment 1: Recent Apartment or townhouse development sites either completed, under construction or approved in the Urban Corridor Boulevard Zone in West Torrens Council - DAT

Address	Suburb	Status	Year completed	Storeys	Number of dwellings	Type	
99 Anzac Hwy	Ashford	Complete	2018	4/5	26	Apartment (ground floor car parking)	
5 Tyson St	Ashford	Completed		3	7	Townhouses	
32 Mortimer St	Kurralta Park	Under construction		2	6	Townhouses	


Address	Suburb	Status	Year completed	Storeys	Number of dwellings	Type	
4 Selby St "Urb4n Apartments"	Kurralta Park	Under construction		6	20	Apartments (ground floor car parking)	
2 Selby St	Kurralta Park	Completed	2017	3	18	Townhouses (2 rows of townhouses with 9 dwellings in each)	
141-143 Anzac Hwy	Kurralta Park	Under construction		3	13	Townhouses (2 rows with 7 & 6 dwellings)	
181-183 Anzac Hwy	Kurralta Park	Approved		3	23	Townhouses (3 rows of townhouses with 7, 8 & 8 dwellings)	

Address	Suburb	Status	Year completed	Storeys	Number of dwellings	Type	
187 Anzac Hwy	Kurralta Park	Completed	2021	3	16	Townhouses (3 rows of townhouses with 4, 4 & 8 dwellings)	
192 Anzac Hwy	Glandore	Approved		8	35	Apartments (with retail on ground floor)	
1 Glenburnie Tce	Plympton	Approved		7	32	Apartments	

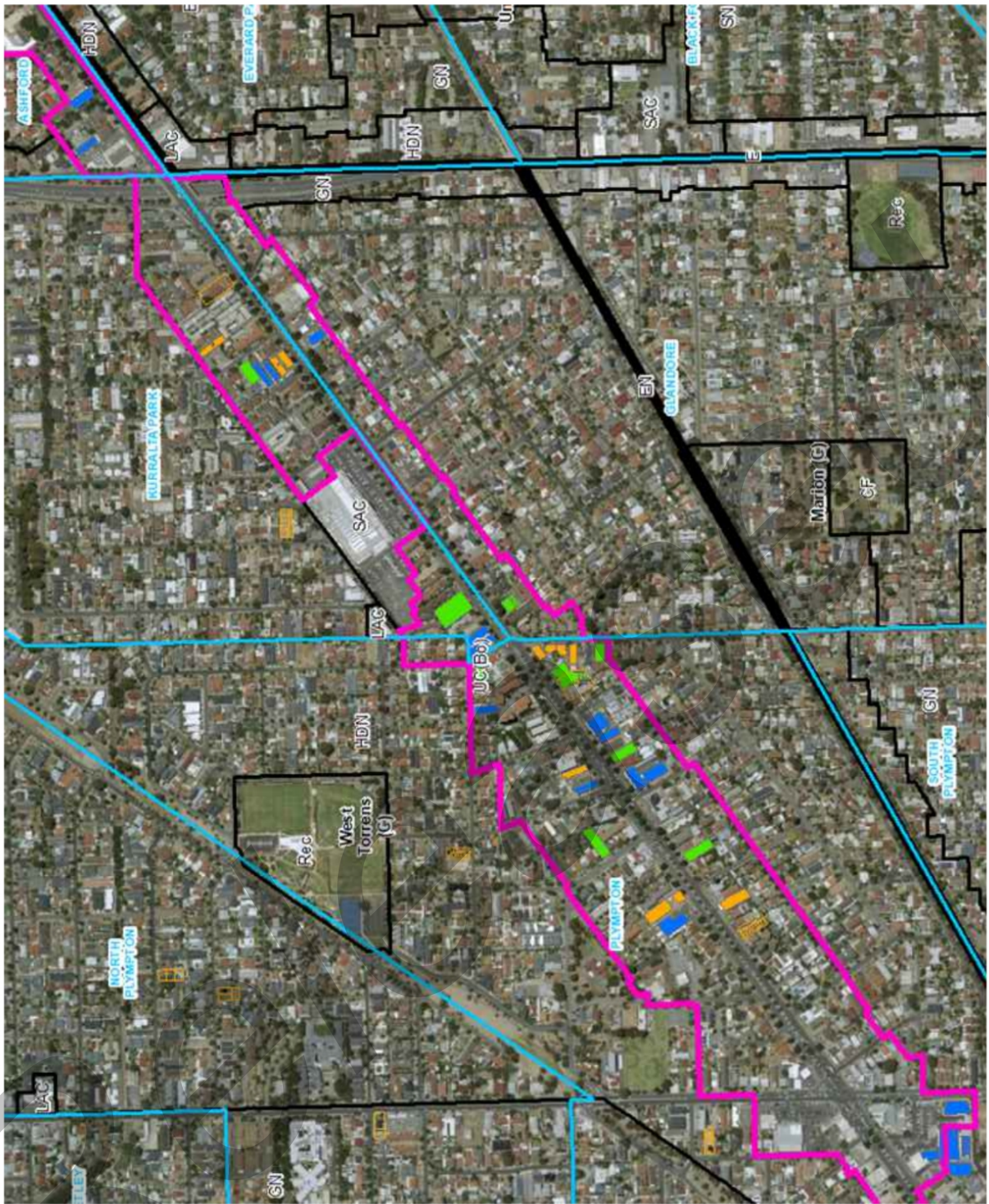
Address	Suburb	Status	Year completed	Storeys	Number of dwellings	Type	
7 Glenburnie Tce	Plympton	Completed	2021	3	7	Townhouses	
196 Anzac Hwy	Plympton	Under construction		3	6	Townhouses (2 rows of townhouses with 2 & 4 dwellings)	
2 Beckman St	Plympton	Under construction		3	11	Townhouses (2 rows of townhouses with 4 & 7 dwellings)	

Address	Suburb	Status	Year completed	Storeys	Number of dwellings	Type	
200-202 Anzac Hwy	Plympton	Under construction		9	75	Apartment	
214 Anzac Hwy	Plympton	Completed	2019	3	8	Townhouses	
217 Anzac Hwy	Plympton	Completed	2022	3	6	Townhouses	
218 Anzac Hwy	Plympton	Approved		3	7	Townhouses	N/A

Address	Suburb	Status	Year completed	Storeys	Number of dwellings	Type	
221 Anzac Hwy	Plympton	Completed	2019	3	7	Townhouses	
222-224 Anzac Hwy	Plympton	Completed	2019	3	36	Apartments (2 buildings with 18 dwellings in each)	
8 Long St	Plympton	Approved?		3	7	Townhouses	N/A
240 Anzac Hwy	Plympton	Approved		4	12	Townhouses	N/A
247 Anzac Hwy	Plympton	Under construction		3	16	Townhouses (2 rows of townhouses with 11 & 5 dwellings)	
250 Anzac Hwy	Plympton	Completed	2022	2	9	Townhouses	

Address	Suburb	Status	Year completed	Storeys	Number of dwellings	Type	
410-414 Marion Rd "Highway Inn Apts"	Plympton	Completed	2020	5	28	Apartments (ground floor car parking)	

Map of all developments shown in the above table.



Average floor space of dwellings in Townhouses and Apartment buildings for selected developments in the Urban Corridor Boulevard Zone

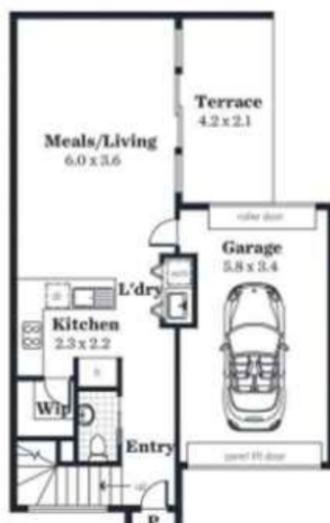
Dwelling type	Address	Number of bedrooms	Liveable area (sqm)	Gross area (sqm) (inc car park & balcony)	% bedroom type in development
Townhouse		1			
Townhouse					
Townhouse					
Townhouse	32 Mortimer St, Kurralta Park	3	106	143	
Townhouse	217 Anzac Hwy, Plympton	3	96	148	100%
Average for Townhouse developments		1			
		2			
		3			

Apartment		1			
Apartment		1			
Apartment		1			
Apartment		2			
Apartment		2			
Apartment		2			
Apartment	4 Selby St, Kurralta Park	3	95 (inc bal)		100%
Apartment		3			
Average for Apartment developments		1			
		2			
		3			

Examples of Townhouse and Apartment floor plans

Townhouses

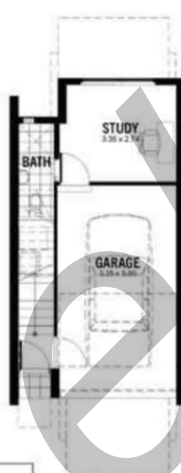
3 bedroom - 32 Mortimer St



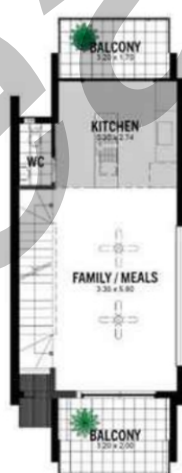
Area (Estimate only)	
Lower Living	41.03 m ²
Upper Living	65.01 m ²
Garage	18.95 m ²
Terrace	8.87 m ²
Balcony	8.17 m ²
Porch	0.50 m ²
Total	142.53 m ²

196 Anzac Hwy, Plympton

GROUND FLOOR



FIRST FLOOR

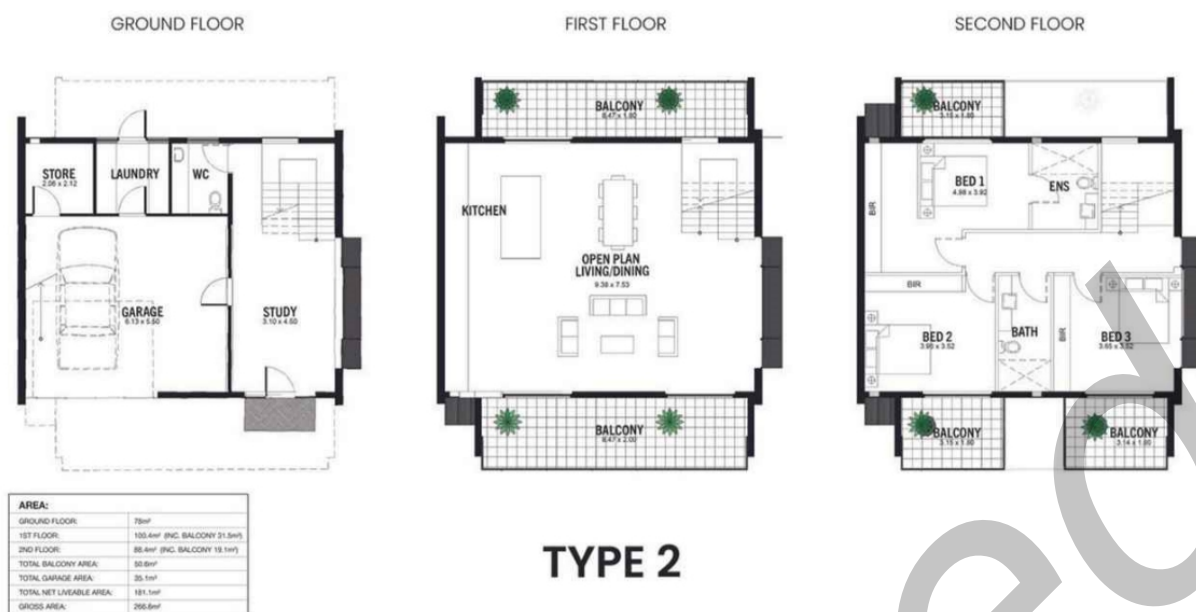


SECOND FLOOR



AREA:	
GROUND FLOOR:	48.9 SQM
1ST FLOOR:	58.7 SQM
2ND FLOOR:	49.9 SQM
TOTAL BALCONY AREA:	28.2 SQM
TOTAL GARAGE AREA:	20.7 SQM
TOTAL NET LUSABLE AREA:	90.6 SQM
GROSS AREA:	141.1 SQM

TYPE 1



2 Beckman St, Plympton



217 Anzac Hwy, Plympton



GROUND LEVEL / LOT 1



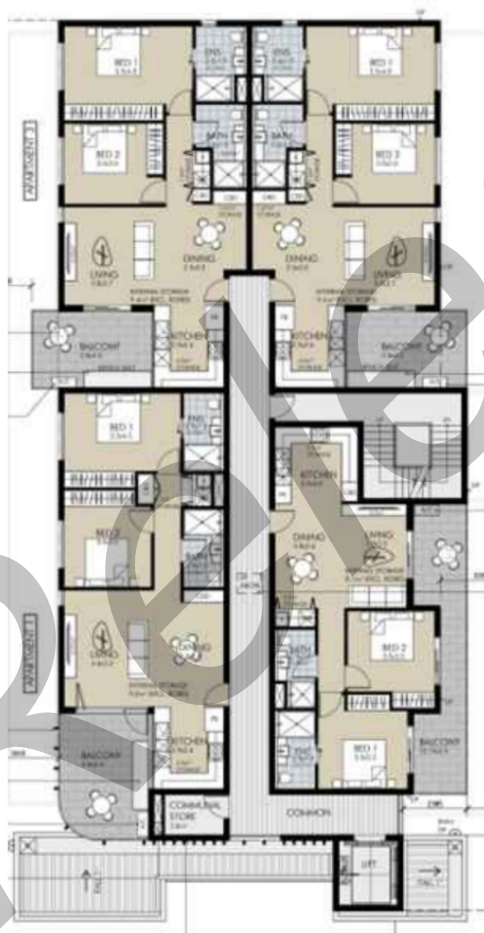
LEVEL 1 / LOT 1



LEVEL 2 / LOT 1

Apartments

4 Selby St, Kurralta Park



AREAS - GROUND LEVEL	
POWERS/ STAIRS/ LIFT	33.20 sqm
SPIN STORE	17.03 sqm
CAR PARK	571.80 sqm
TOTAL	622.03 sqm
TOTAL SITE AREA	809.42 sqm

AREAS - FIRST LEVEL	
APARTMENT 1	99.90 sqm
APARTMENT 2	87.90 sqm
APARTMENT 3	96.27 sqm
APARTMENT 4	96.27 sqm
COMMONS/ STAIRS/ LIFT	74.32 sqm
TOTAL FLOOR AREA	454.66 sqm
* apartment areas include balconies	

Attachment 2: West Torrens Administration Response to Proposed Draft Zoning Changes Suggested by DPTI sent via email 5 August 2020 to SPC

Released

West Torrens Administration Response to Proposed Draft Zoning Changes Suggested by DPTI

1. Application of General Neighbourhood Zone + SPC Principles for Application:

Since the original submission, West Torrens Administration has flagged on numerous occasions that it does not support the implementation of the GNZ over Policy Area 21 (PA 21) and has requested on a number of occasions that a review of its application be undertaken. It has been highlighted that the Suburban Neighbourhood Zone (SNZ) would be more appropriate with a split TNV to recognise the density bonus when located within 400m of Centre Zones. Recognising that the density bonus reflects areas that are typically better serviced in terms of transport, day-to-day needs and the like.

City of West Torrens Administration continues to identify that the application does not appear to meet DPTI's principles for application of GNZ over PA 21 or PA 20 (both low density policy areas) in totality, see table 1 below.

Test + Criteria	Policy Area 20	Policy Area 21
Test 1 The General Neighbourhood Zone <u>will not</u> be applied where either:		
Test 1 (a) Historic or Character area overlays apply	Not a Historic or Character Area- proceed to next test	Not a Historic or Character Area- proceed to next test
Test 1 (b) Site dimensions are dependent on land gradient	Not gradient dependent- proceed to next test	Not gradient dependent- proceed to next test
Both Policy Areas passed Test 1- proceed to next tests for further consideration of suitability within GNZ		
Test 2 The General Neighbourhood Zone <u>will</u> be applied where (a), (b) and (c) <u>are</u> met. The General Neighbourhood Zone <u>will not</u> be applied where (a), (b) and (c) <u>are not</u> met. If 1-2 criteria are met, proceed to Test 3.		
Test 2(a) ResCode currently applies	Partially E.g. not in West Richmond, Cowandilla, Lockleys, Underdale etc.	Partially E.g. not in Lockleys, Novar Gardens etc.
Test 2(b) Site dimensions for semi-detached dwellings (or detached if ResCode doesn't	Yes to site area. Frontage is less than 10m only when located with 400m of a Centre Zone (other than the Neighbourhood Centre Zone on Marion Rd)	No - exception when sited within 400m of a centre zone

apply) are less than 350m ² /10m frontage		
Test 2(c) Other dwellings types are anticipated (row, group dwellings and/or residential flat buildings)	Other anticipated dwellings: Group dwelling only listed	Other anticipated dwellings: Row dwelling and semi-detached dwelling only when within 400m of a Centre Zone
<p>Neither Policy Areas passed Tests (a), (b) or (c) in totality. Rescode is not applicable in either PA in its entirety.</p> <p>The Policy Areas are unique in that they have a density bonus applied when located within 400m of a Centre Zone (excluding Neighbourhood Centre Zone located on Marion Road), when applied this appears to enable parts of PA 20 to meet the criteria set for General Neighbourhood Zone.</p> <p>Neither PA seeks an array of dwelling types/form and the site areas are the same irrespective of dwelling type (e.g. no dispensation for differing dwelling type as evidenced in other Development Plans). Policy is seeking a low density character that replaces detached dwellings with same and no battleaxe development, preserving regular rectangular allotments with street frontage.</p>		
<p>Test 3:</p> <p>The General Neighbourhood Zone <u>may</u> be applied in the following circumstances</p>		
<p>Test 3(a)</p> <p>The current Development Plan policy generally aligns with the desired outcomes and policies of the General Neighbourhood Zone (e.g. there are no unique characteristics such as landscape character areas, generous setbacks sought); and/or</p>	<p>No, policy provides as follows: Development should not be undertaken unless it is consistent with the desired character for the policy area:</p> <ul style="list-style-type: none"> Allotments in the policy area will be at low density, accommodating predominantly detached dwellings and some other dwellings types such as semi-detached and group dwellings Battleaxe subdivision will not occur in the policy area to preserve a pattern of rectangular allotments developed with buildings that have a direct street frontage. Development will be interspersed with landscaping, particularly behind the main road frontage, to enhance the appearance of buildings from the street 	<p>No, policy provides as follows: Development should not be undertaken unless it is consistent with the desired character for the policy area:</p> <ul style="list-style-type: none"> This policy area will have a low density character. development will predominantly involve the replacement of detached dwellings with the same (or buildings in the form of detached dwellings). Battleaxe subdivision will not occur in the policy area to preserve a pattern of rectangular allotments developed with buildings that have a direct street frontage. Development will be interspersed with landscaping, particularly behind the main road frontage, to enhance the appearance of buildings from the street as viewed by pedestrians Low and open-style front fencing will contribute to a sense of space between buildings

	<ul style="list-style-type: none"> Low and open-style front fencing will contribute to a sense of space between buildings. <p>Front setbacks sought to be average of existing</p>	Front setbacks sought to be average of existing
Test 3(b) There is high development potential based on the condition of housing stock in the area (e.g. CV/SV generally <1.3, predominance of 1950-70s housing stock); and/or	DPTI data indicates: <i>CVSV mostly under 1.1 therefore high development potential</i>	DPTI data indicates: <i>CVSV mostly under 1.3 therefore reasonable development potential</i>
Test 3(c) The area is suited for infill having regard to SPP 6.5 (e.g. in proximity to public transport or activity centres).	limited transport/centre connections	limited transport connections but generally only within 400m buffer areas near centres
<p>Following the third test, the PA's policy does not align with intent for General Neighbourhood Zone, the current zoning, specifically seeks low density, predominately detached with street frontage and seeks new development that observes existing setbacks and pattern of development. The policy currently provides limited capacity for infill development, except when located within 400m of existing centre zones.</p> <p>Whilst the housing stock data could be concluded that PA 20 indicates a high development potential and PA 21 a reasonable development potential, this does not necessarily equate to increasing density and introducing differing built forms than currently anticipated.</p> <p>The areas themselves provide limited transport and centre connections.</p>		

Table 1: Test and Criteria for General Neighbourhood Zone

The table fundamentally identifies that application of the GNZ, is realistically only relevant to PA20 when sited within 400m of a Centre Zone (excluding Neighbourhood Centre Zone on Marion Rd). Administration has previously articulated that until any investigations into hard and soft infrastructure are undertaken and the effects of airport related overlays are known that SNZ should be applied. A Code amendment for increased infill could be considered at a later stage either through:

- the application of GNZ,
- or consideration of a new overlay that can be applied in multiple zones to capture density bonus in key areas

However implementation of this is contingent on investigations and consultation in line with a Code amendment and the Community Engagement Charter.

2. Zoning Intent and Additional Points for Consideration in Transition of Policy from Development Plan to Code:

Both PA 20 and 21 are identified as low density policy areas within the City of West Torrens Development Plan. The desired character identifies that there is an intent to preserve this characteristic and this is controlled in part by lot size but also through the anticipated development type. Detached dwellings are primarily envisaged and other forms of dwellings (row dwellings, semi-detached dwellings) typically anticipated within a 400m proximity to Centre Zones. The GNZ as per *Guide to the Draft Planning and Design Code* (State Planning Commission, 2019) states:

This zone encourages a range of housing diversity and supply. Other non-residential uses, including small scale office and consulting rooms, and a range of community facilities, including education, recreation and community centres, will also be encouraged.

Development will generally retain a suburban character and scale of 1 or 2 building levels.

The subsequent policy is reflective of the intent mentioned above and does not align with the policy intent of that contained within West Torrens Development Plan for the two policy areas in question. Attachment 1 provides a comparison of land division policy between existing and proposed and an example of the extent of infill that could be anticipated as a result of the introduction of GNZ. The example is located at Barrow Crescent, Lockleys (located in PA 21), which currently has limited subdivision potential and anticipates detached dwellings.

Administration flags that the wholesale application of this policy does not go far enough to consider other variables in the locality that may impact whether the GNZ and in turn, the proposed increased density and uplift is suitable. Consideration should be given to lawfully existing development, such as the airport, and existing infrastructure requirements needed to support an increase in development and population.

Flood mapping was developed in 2015 for the majority of the Lockleys area in association with modelling the performance of the existing local drainage systems servicing this area (see attachment). On ground mitigation works have subsequently been undertaken over the last 5 years to lessen the anticipated impact of flooding in this area. These mitigation works have seen the drainage upgrade to effectively the maximum practical capacity which can be achieved, however due to the topography of the area (in particular the trapped low points), much of the Lockleys area will always carry flood risks even after these mitigation works.

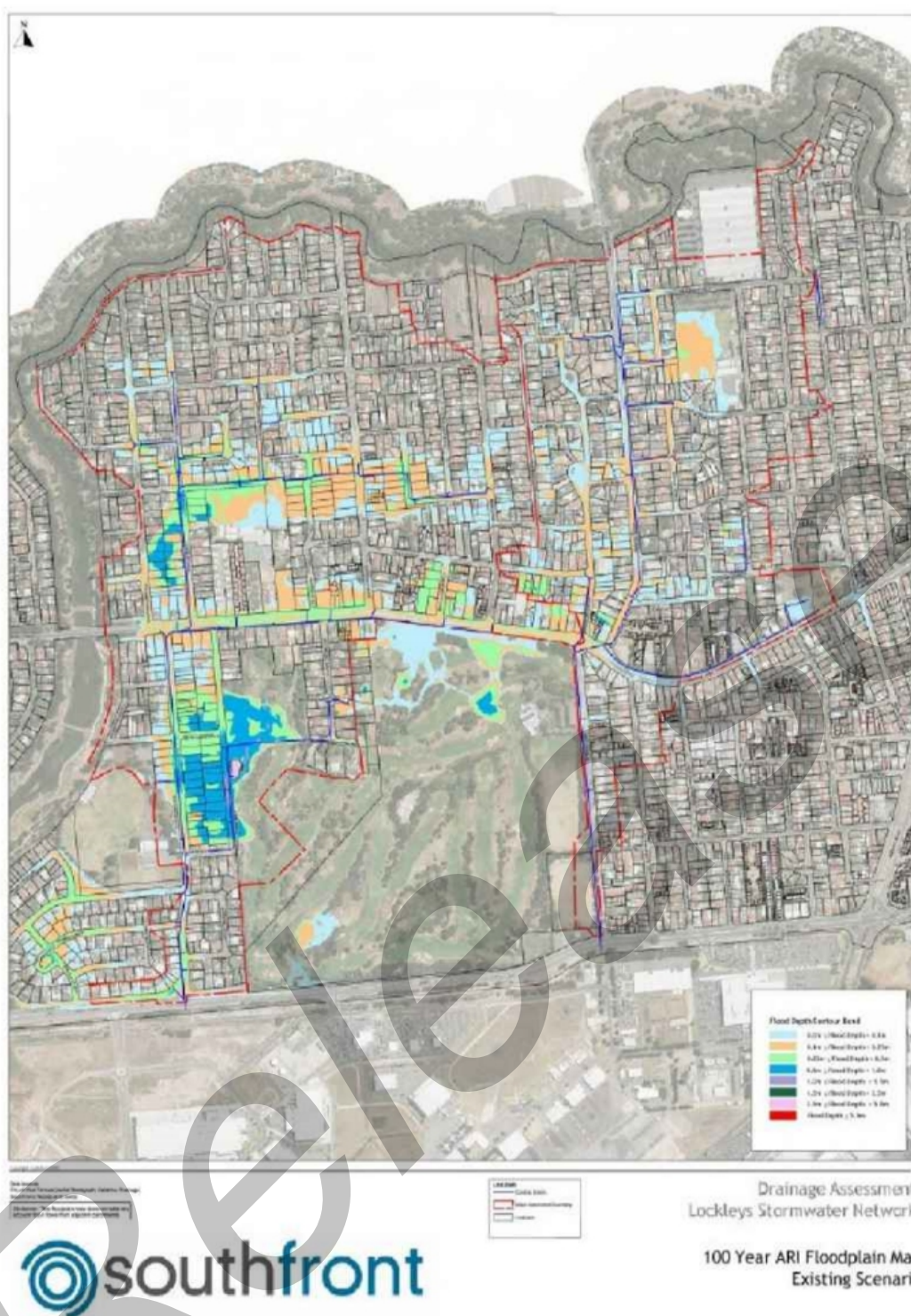


Image 1: 100 Year ARI Floodplain Mapping- Existing Scenario

As mentioned, consideration should be given to existing lawful uses including the airport and the overlays that are relevant, including the ANEF. Attention is drawn to AAL submission of the Draft P+D Code,

https://www.saplanningportal.sa.gov.au/data/assets/pdf_file/0019/650620/Adelaide_Airport_Limited_and_Parafield_Airport_Limited.pdf, which provides as follows:

"We have undertaken a review of the zoning which is proposed in the broader locality surrounding both Adelaide and Parafield Airports. We note that the intent of the draft PDC is to generally provide a 'like for like' zone outcome. Whilst this may generally be the case, we

Whilst we do not have the resources to quantify the potential density uplift in fine grain detail, the enclosed map shows where we have identified a potential increase in density, having regard to either the density statements or site area provisions contained within the existing and proposed zones adjacent to Adelaide Airport. It is evident that from a spatial perspective, the area of potential density increase is reasonably substantial.

AAL considers that any uplift in density needs to be carefully analysed to ensure that there is no significant increase in housing in potentially sensitive locations. Such could prejudice the ongoing aviation function of Adelaide Airport, a matter of critical importance to AAL, the State and the Commonwealth, noting the economic and social significance of the airport and the need to ensure no further restrictions on passenger numbers and freight movements. AAL submit that ahead of finalising the draft PDC that DPTI commit to carefully review the draft zoning to ensure the subtle changes in density expectations across many policy areas does not result in any significant quantum of uplift, particularly in locations subject to the Australian Noise Exposure Forecast (ANEF)."



Image 2: AAL mapping identifying areas proposed for uplift as a concern in close proximity to the airport.

Furthermore, image 3, highlights a portion of existing Policy Area 20 which is identified to transition to the Code as GNZ. The image below highlights that Rescode does not apply in part, notably where there is identified flood hazard and is located within ANEF contours 35 and 30.

Although not identified within the West Torrens submission, it is in need of further consideration as to its suitability for uplift through the introduction of the GNZ. An alternative would be to consider transitioning this to SNZ, enabling existing site areas and other parameters contained in the Development Plan to be captured by TNV.

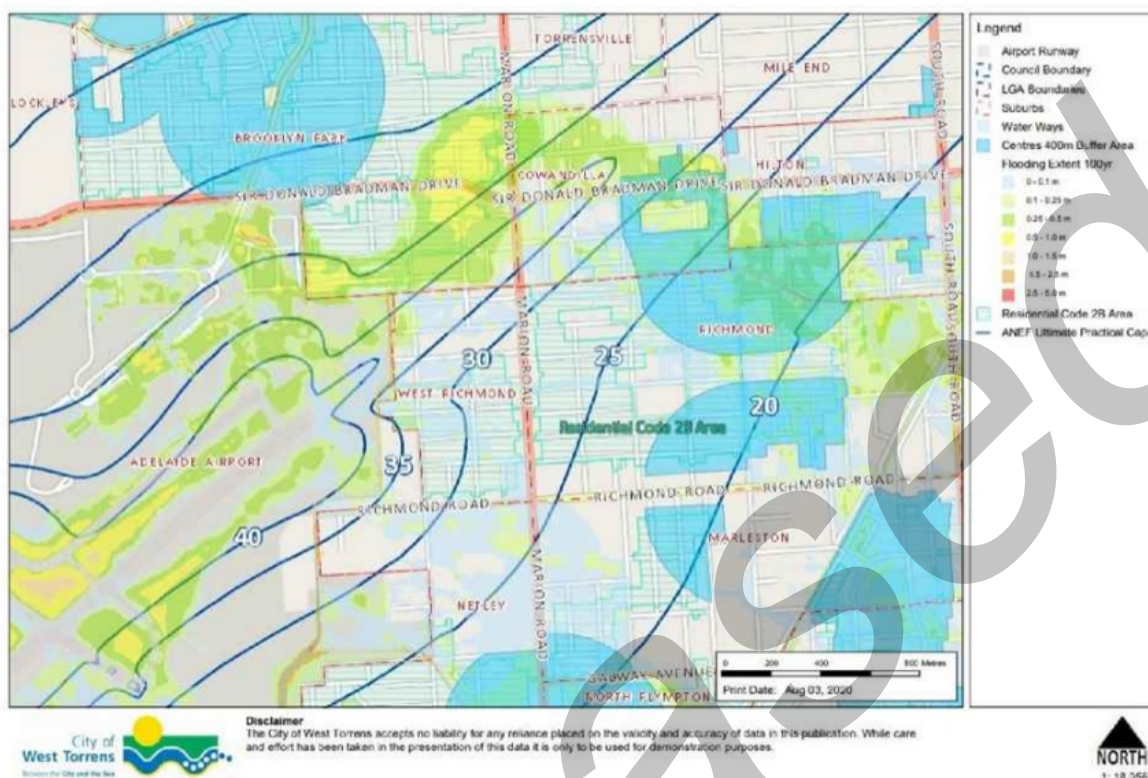


Image 3: Map identifying area to be transitioned to GNZ that is affected by flooding and aircraft noise.

3. West Torrens Appears to Have a Disproportionate Application of GNZ:

On review of the proposed changes to mapping, it becomes increasingly clear that the City of West Torrens will carry an increasing and disproportionate amount infill development than other council areas in similar proximity to the city.

This is evident when reviewing the application of both the GNZ and the Housing Diversity Zone as consulted on (Attachment 2- image 1 and 2) compared to the proposed changes for other Councils (see Attachment 2 - Map 1-6) and the application of Neighbourhood Zones (including newly proposed Waterfront Neighbourhood and Hills Neighbourhood) in lieu of GNZ.

The policy contained within the GNZ seeks a reduction of minimum allotment sizes and the introduction of new built form in locations it was not previously anticipated (namely, but not limited to Lockleys, Fulham, West Beach, Novar Gardens, Camden Park, North Plympton, Marleston, Kurralt Park, Richmond, Brooklyn Park). It is evident that there has been limited investigations into the suitability of the GNZ in these locations nor was a consultation commensurate to the changes proposed undertaken. The post consultation changes further highlight that West Torrens carries a disproportionate application of the new GNZ in locations:

- that don't align with the SPC principles, or
- transition similar intended and best suited policies between Development Plan and Code.

Lastly, West Torrens is currently experiencing increased infill and constituents articulate numerous concerns from this development that the Code at this stage does not appear to remedy e.g. car parking rates either onsite or on street, loss of tree canopy, increased stormwater runoff, increased urban heat.

Attachment 1: Policy Area 21 to General Neighbourhood Zone

Current Development Plan New Planning and Design Code

The following information is applicable to Residential Low Policy Area 21

Land division comparison

	Residential Low Density 21		General Neighbourhood	
	Site area (m ²)	Frontage (m)	Site area (m ²)	Frontage (m)
Detached (>400 from centre zone)	420	12	300	9
Semi-detached (>400 from centre zone)	420	12	300	9
Group dwelling (>400 from centre zone)	Not envisaged	Not envisaged	300	15
Residential Flat Building (>400 from centre zone)	Not envisaged	Not envisaged	300	15
Row dwelling (>400 from centre zone)	Not envisaged	Not envisaged	200	7
Detached (<400 from centre zone)	350	9	300	9
Semi-detached (<400 from centre zone)	350	9	300	9
Group dwelling (<400 from centre zone)	Not envisaged	Not envisaged	300	15
Residential Flat Building (<400 from centre zone)	Not envisaged	Not envisaged	300	15
Row dwelling (<400 from centre zone)	350	9	200	7

Table 1: Comparison of Development Plan and GNZ

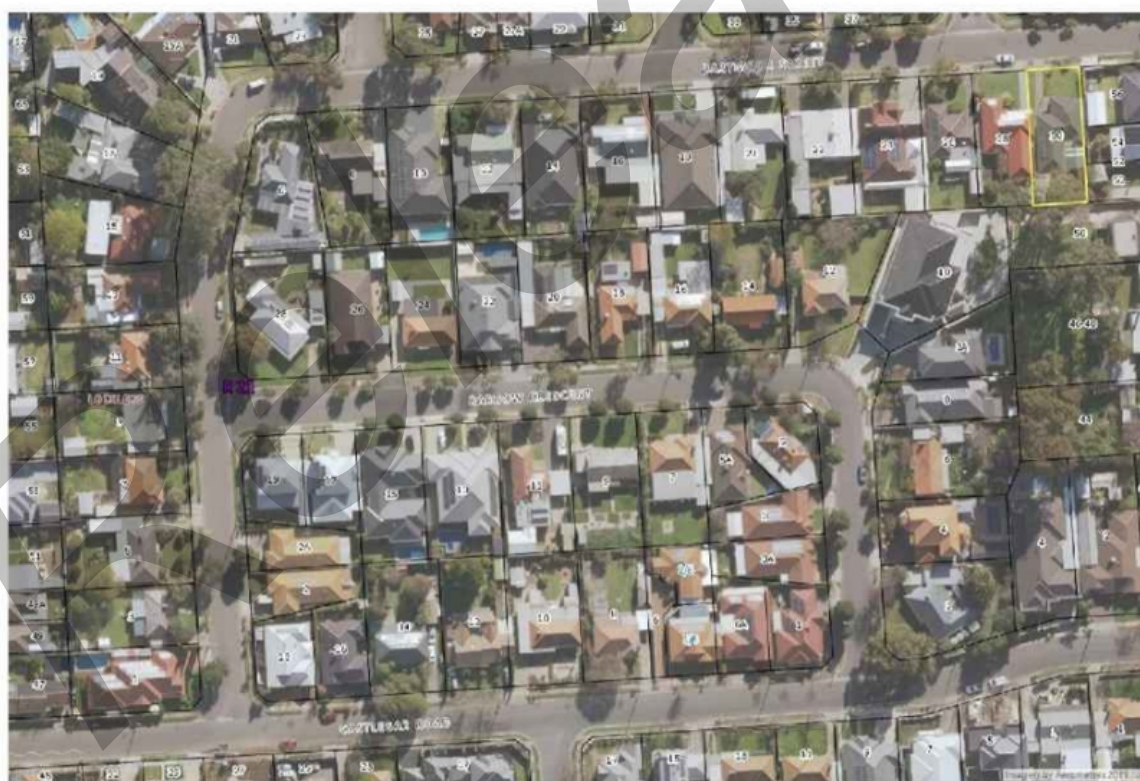


Image 1: Barrow Crescent, Lockleys

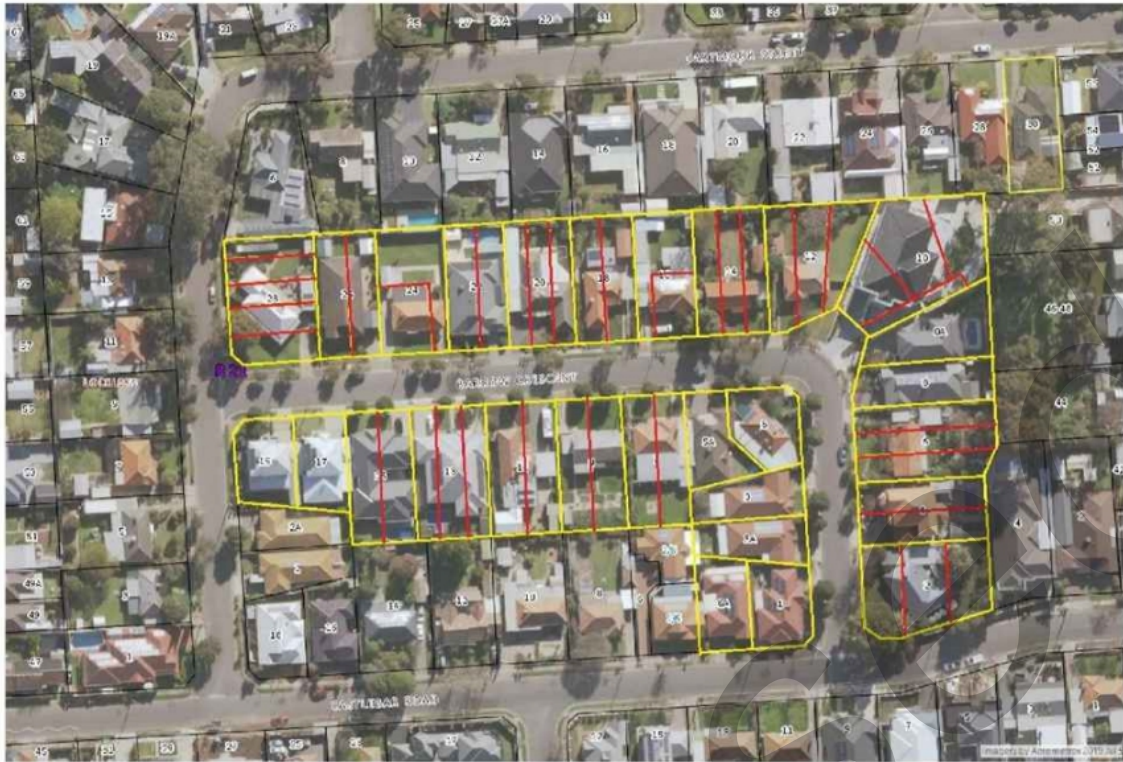


Image 2: Barrow Crescent, Lockleys subdivided in line with General Neighbourhood Zone lot size and dwelling type

Attachment 2: Application of General Neighbourhood and Housing Diversity Zones as Publicly Consulted On vs Proposed Zoning Changes Post Consultation

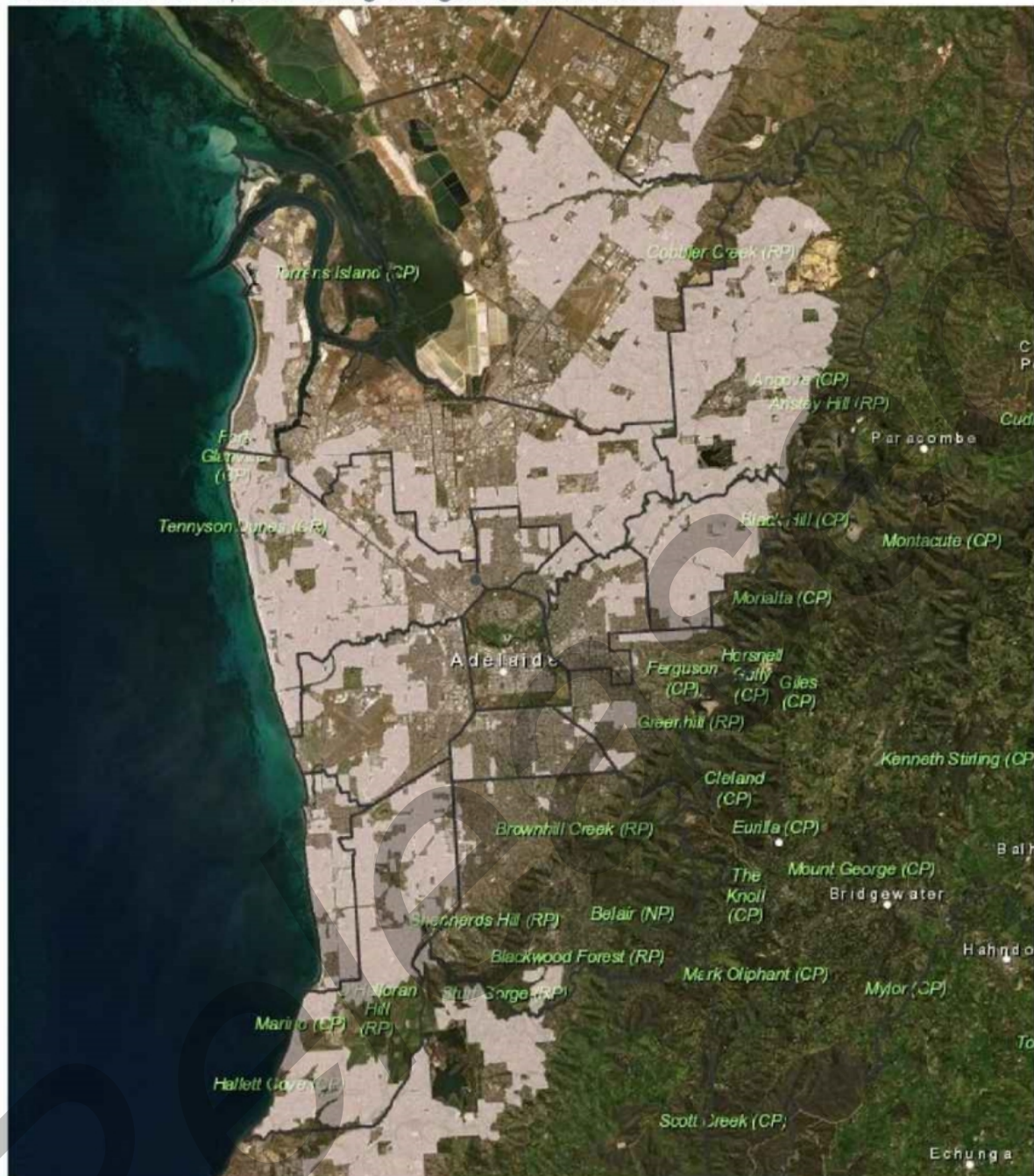


Image 1: Application of General Neighbourhood Zone across metropolitan councils as publicly consulted

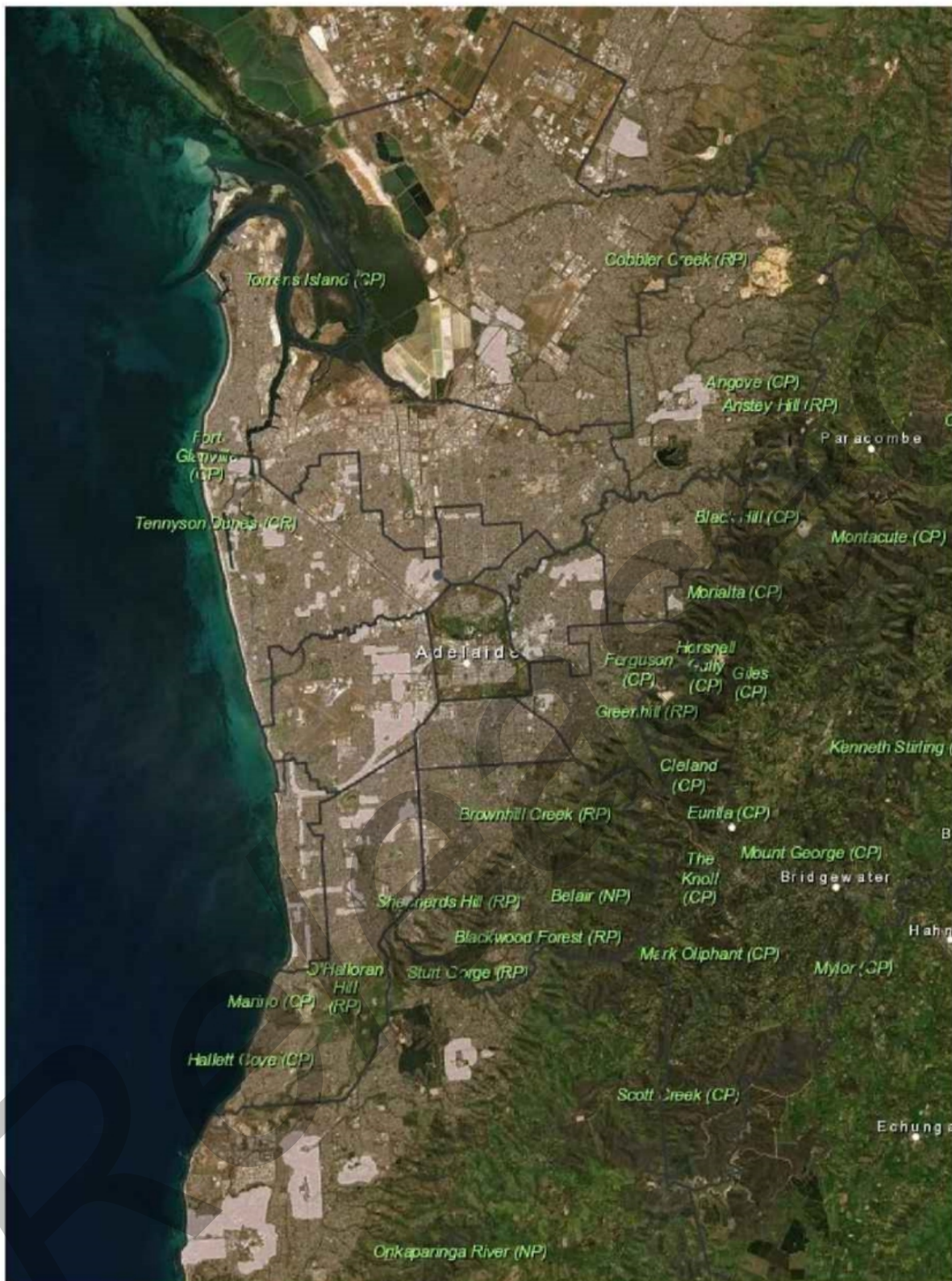
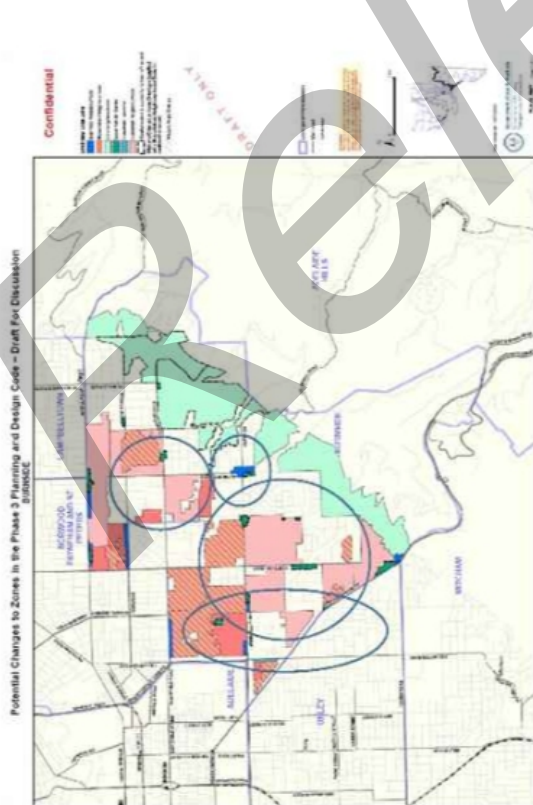
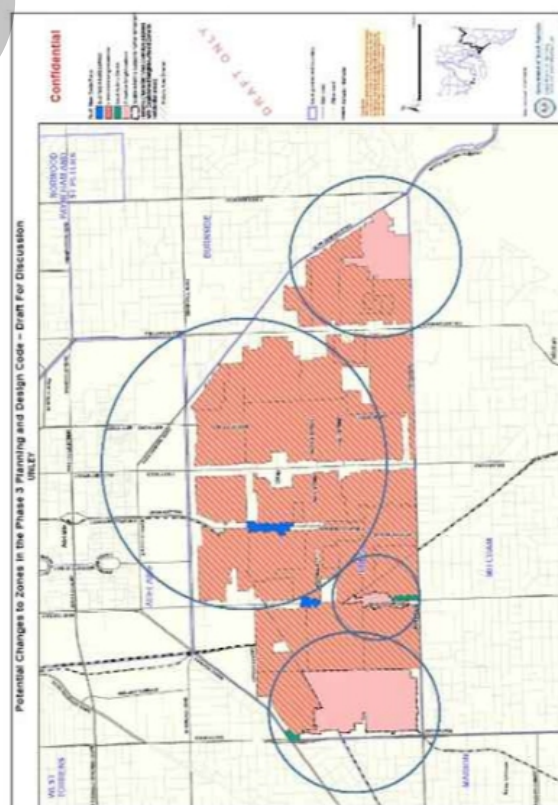


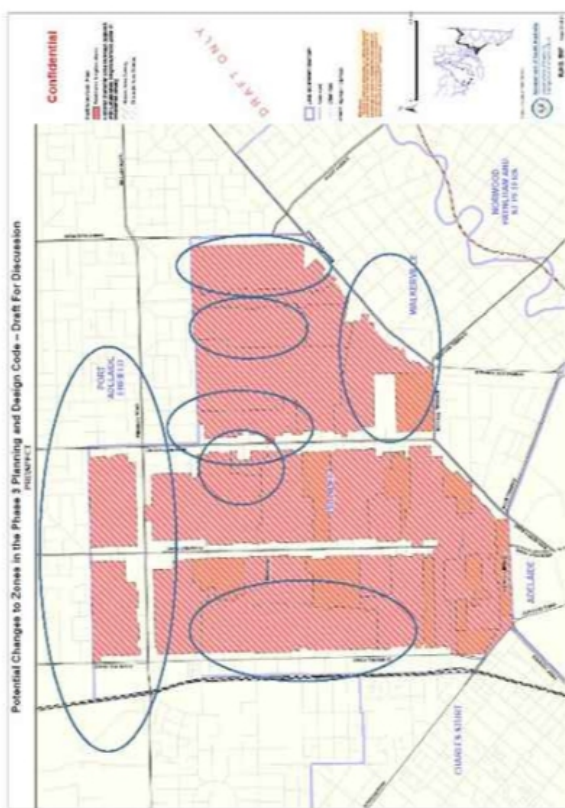
Image 2: Application of Housing Diversity Zone across metropolitan councils as publicly consulted



Map 1: Burnside Council - Proposed change from GNZ to SNZ and in one part to Established Neighbourhood. Note inclusion of Hills Neighbourhood Zone to transition policy into a more suitable Zone which enables inclusion of TNVs for site area, site frontage and height.



Map 2: Unley Council - Proposed change from GNZ to SNZ which enables use of TNV to reflect Development Plan



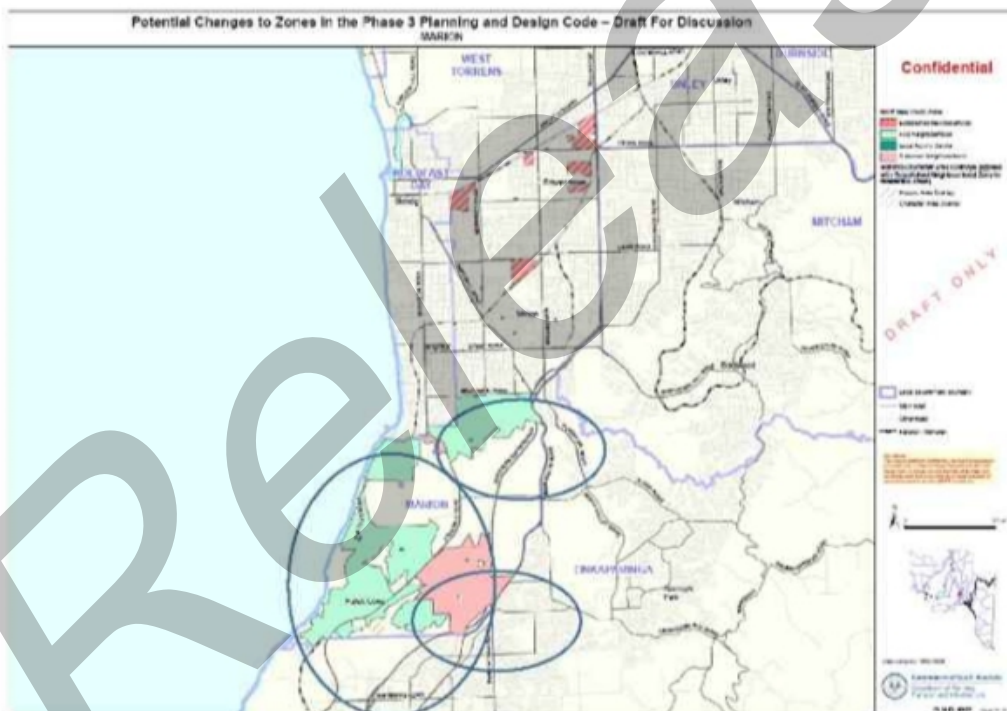
Map 3: Prospect Council - Proposed change from GNZ to Established Neighbourhood which enables TNV for site areas, site frontages, side setback, site coverage and height.



Map 4: Walkerville Council - Proposed change from GNZ to SNZ



Map 5: Charles Sturt has inclusion a Waterfront Neighbourhood Zone to transition policy into a more suitable Zone which enables inclusion of TNVs for site area, site frontage and height.



Map 6: Marion- Proposed change from GNZ to SNZ. Note inclusion a Hills Neighbourhood Zone to transition policy into a more suitable Zone which enables inclusion of TNVs for site area, site frontage and height.

Attachment 3: Council Letter to Minister Rau objecting to 8 storey development at Glandore dated 18 August 2017

Released



18 August 2017

The Hon John Rau MP
Minister for Planning
GPO Box 464
ADELAIDE SA 5001

Dear Minister Rau,

Objection to 8 Storey Development at Glandore

Council appreciates the opportunity afforded to it, via informal notifications, to respond to those development applications within the Council area for which Council is not the relevant authority.

Following informal notification from the Development Assessment Commission (DAC) that an 8 storey development was proposed at 192 Anzac Highway, Glandore, Council's Administration provided a consultation response that highlighted the cumulative shortfalls of the application.

Furthermore an addendum to the response was provided indicating that approval of an 8 storey building at the site was contrary to the intention of policy in the West Torrens Development Plan.

Subsequent to this response, and at its meeting on 1 August 2017, Council resolved to write to you as Minister for Planning to advise that:

- Council **strongly opposes** the proposed 8 storey development currently under consideration by DAC, now the State Commission Assessment Panel (SCAP) at 192 Anzac Highway, Glandore.
- It is Council's opinion that any multi-storey development proposed along the southern side of Anzac Highway between Beckman Street and South Road Glandore, should be developed with consideration to the potential impact on the neighbouring Character Area of Glandore and limited to 3 storeys in height.
- PA24 is intended to ensure that Urban Corridor development in proximity to PA24 does not impinge on the character within the policy area, regardless of whether or not the development shares a direct property boundary with PA24, ie. hammerhead allotments preventing direct abutment.
- As part of the assessment process Council **strongly urges** the SCAP to give due regard to Council's intent for a 3 storey height restriction on allotments abutting Glandore Character Policy Area 24 (PA24) within the Development Plan. In particular, for the 3 storey height limit to apply to properties that do not appear to physically abut PA24 due to impediment from hammerhead allotments.

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- Further, Council also asks that significant weight be given to the car parking requirements of the West Torrens Development Plan so as to not impact the residential amenity of local streets with additional on-street car parking to the detriment of residents.

Council has considered the options available to it to achieve the desired maximum building height policy in the locality and has identified the following options to remedy the issue:

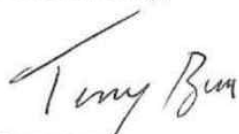
- a. A Section 29 amendment to the West Torrens Development Plan to provide for the inclusion of a concept plan that illustrates and details acceptable building heights in proximity to the interface between the two zones in the locality.
- b. A Development Plan Amendment for the subject area that would enable a concept plan to be included in the West Torrens Development Plan that clearly delineates acceptable building heights in proximity to the interface of the two zones and identifies precisely which allotments are covered by the policy variations.
- c. Policy clarification to be included through mechanisms available for local variations in the impending Planning and Design Code.
- d. An alternative remedy nominated by the Minister.

Council seeks your views on which of the above four suggested approaches you would be prepared to support to address the unanticipated anomaly created by hammerhead allotments in the application of Urban Corridor Zone Boulevard Policy Area 42 adjacent Glandore Character Policy Area 24 and provide clarity on the matter so that development is assessed in the way in which Council intended.

Council looks forward to your consideration of the matters contained in this letter and advice on which approach (a, b, c, or d) you would support to achieve Council's intention.

Should you require further information on the contents of this letter please contact, Rebecca Perkin, Team Leader Strategy, on [redacted] or via email [redacted]

Yours Sincerely,


Terry Buss
Chief Executive Officer
City of West Torrens

Cc: Hon Steph Key, Member for Ashford

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 Cub'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
City of West Torrens
165 Sir Donald Bradman Drive
HILTON SA 5033

SANFL
ABN 59 518 757 737

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T 08 8424 2200
W sanfl.com.au

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

Mr Terry Buss
Chief Executive Officer
City of West Torrens
165 Sir Donald Bradman Drive
HILTON SA 5033

SANFL
ABN 59 518 757 737

Office
Level 2, Riverbank Stand,
Adelaide Oval, War Memorial Drive,
North Adelaide SA 5006

Postal Address
PO Box 606 Tynte Street,
North Adelaide SA 5006
T 08 8424 2200
W sanfl.com.au

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

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REASON FOR ISSUE
Landmark Change

REV
A

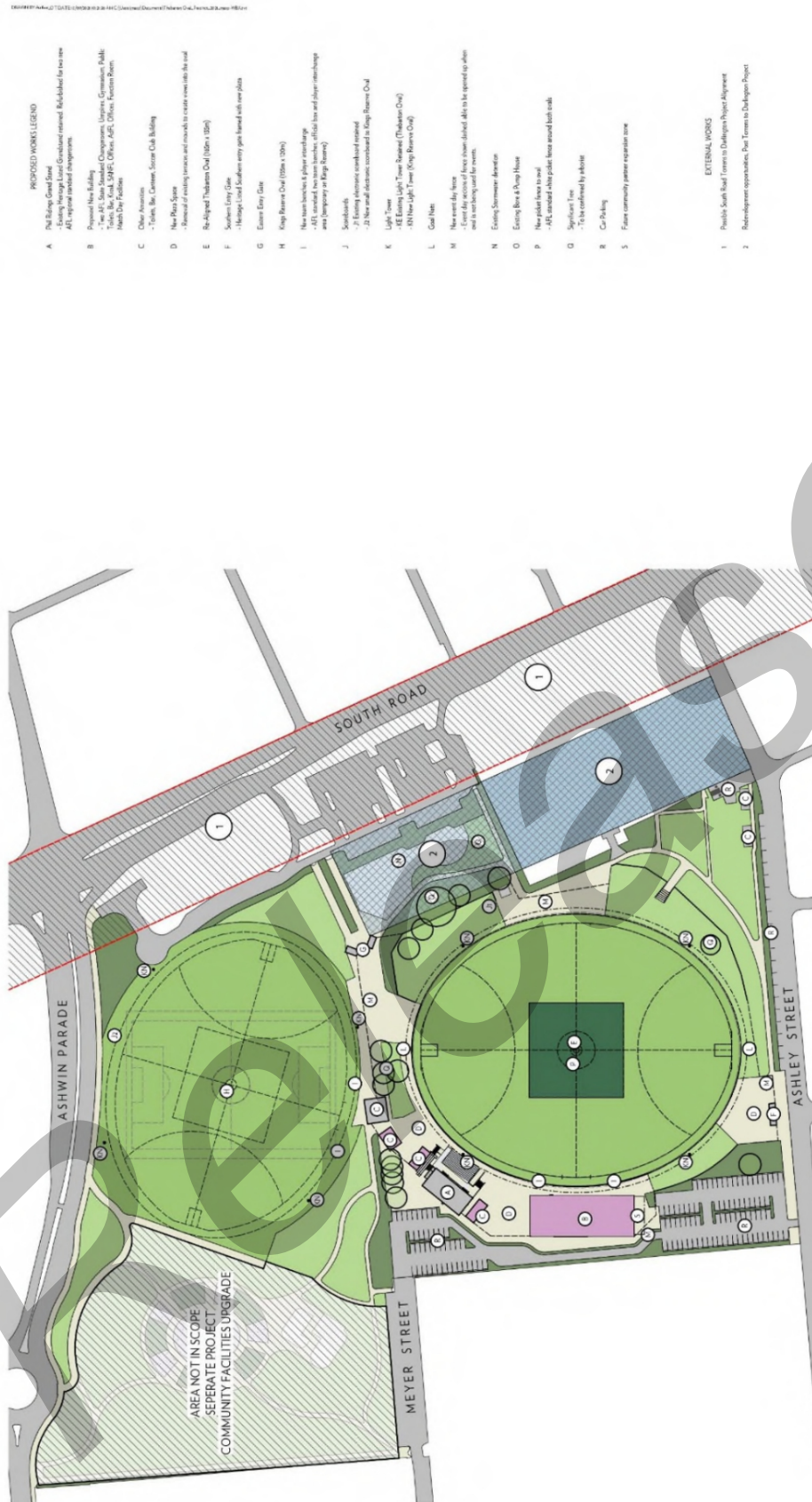
DATE
11/09/21

WALTER
BROOKE
ARCHITECTURE
INTERIOR DESIGN
LANDSCAPE ARCHITECTURE
MASTER PLANNING

THEBARTON OVAL PRECINCT
SANFL

PRECINCT BUILDING DEMOLITION
SUBSET
1:1000 (A3)
DRAWING
REVISION
PROJECT

SD-006
A
19-5778



REASON FOR ISSUE: REV. DATE
 PRELIMINARY: B. 20.09.21
 C. 11.09.21

ARCHITECTURE
 INTERIOR DESIGN
 LANDSCAPE ARCHITECTURE
 MASTER PLANNING

THEBARTON OVAL PRECINCT
 SANFL

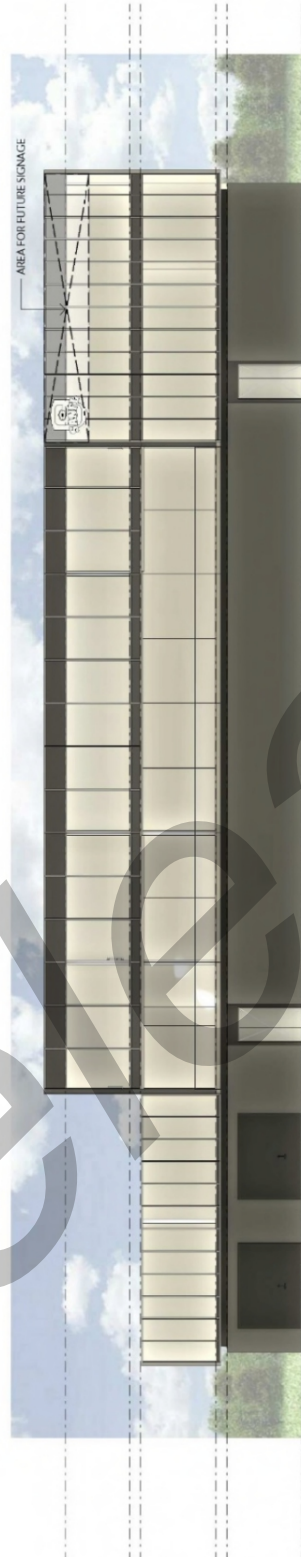
PRECINCT SCOPE
 100M 21
 1:10000 A4

DRAWING: 50-000

REVISION: C

PROJECT: 19-07-08

DRAWN BY: Author PLOT DATE: 16/09/2021 10:09 AM C:\Users\map\Documents\Thebarton Oval_Planet_2021\map\WB.Arch

EAST ELEVATION
1:200

REASON FOR	RE	DATE
Signature Consent	X	10/09/21

WALTER
BROOKE
ARCHITECTURE
LANDSCAPE ARCHITECTURE
MASTER PLANNING

THEBARTON OVAL PRECINCT
SANFL

0 1 2 4

ELEVATION	PRELIMINARY	DRAWING	SD-005
Issue Date	1:200 @A3	REVISION	A
		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

| sanfl.com.au

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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 DATE: 11/08/2021 TO: SANFL SANFL C:\Users\andrew\Documents\SD_Thebarton_Oval_2021.mxd WBA

REASON FOR ISSUE

Start up Updates

Scope Approval

REV

B

C

DATE

AUG. 2021

31.08.21

PRELIMINARY

WALTER BROOKE

ARCHITECTURE
INTERIOR DESIGN
LANDSCAPE ARCHITECTURE
MASTER PLANNING



THEBARTON OVAL PRECINCT
SANFL

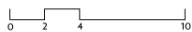
PRECINCT SCOPE	DRAWING	SD-001
31.08.21	REVISION	C
1 : 1000 @A1	PROJECT	19-5776



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

PRELIMINARY

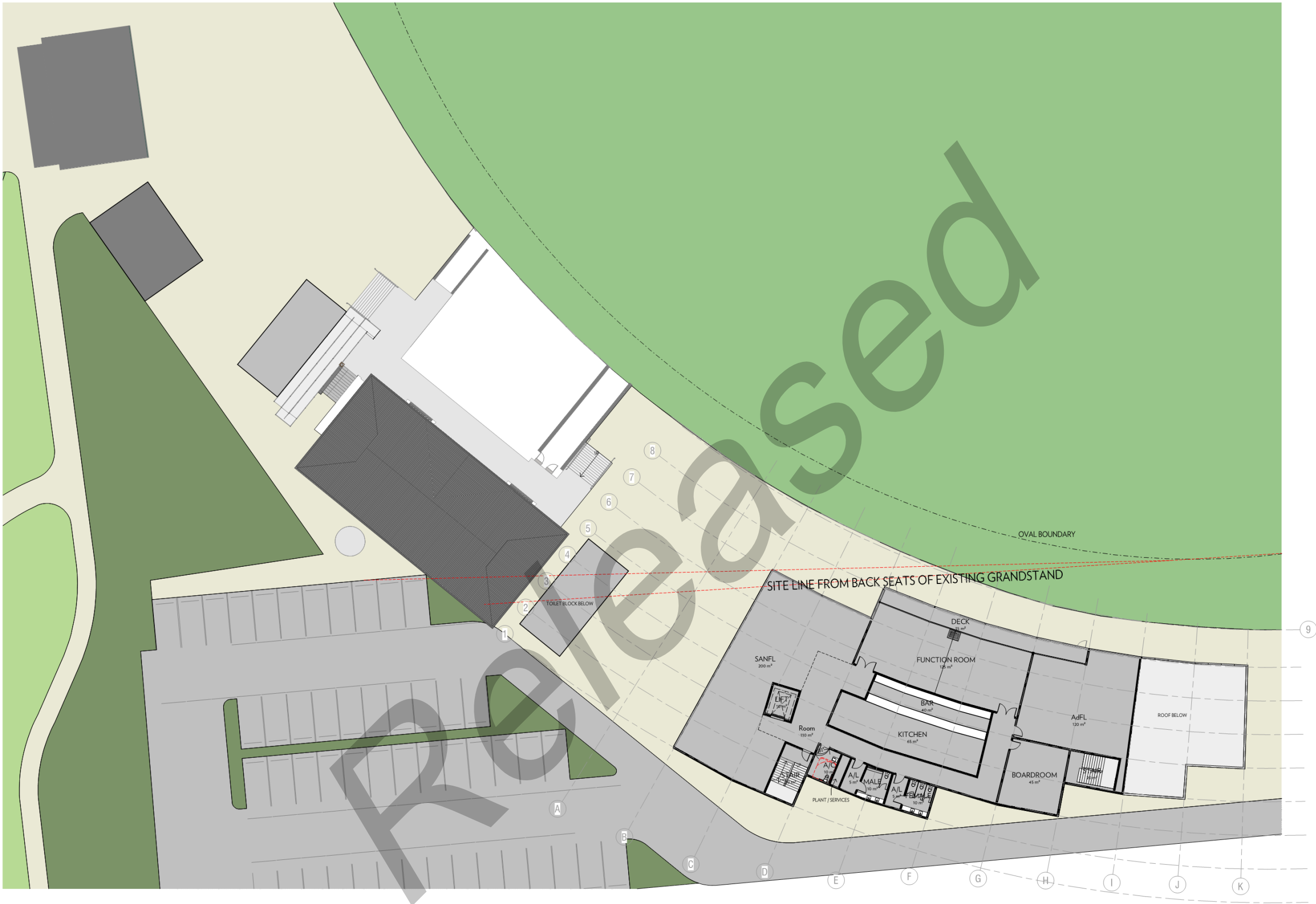
WALTER BROOKE ARCHITECTURE
INTERIOR DESIGN
LANDSCAPE ARCHITECTURE
MASTER PLANNING



THEBARTON OVAL PRECINCT
SANFL

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

DRAWN BY: JAMES O'DONNELL DATE: 15/08/2019 SCALE: A1 (Landscape) DRAWING NO: 19-5776-01



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

PRELIMINARY

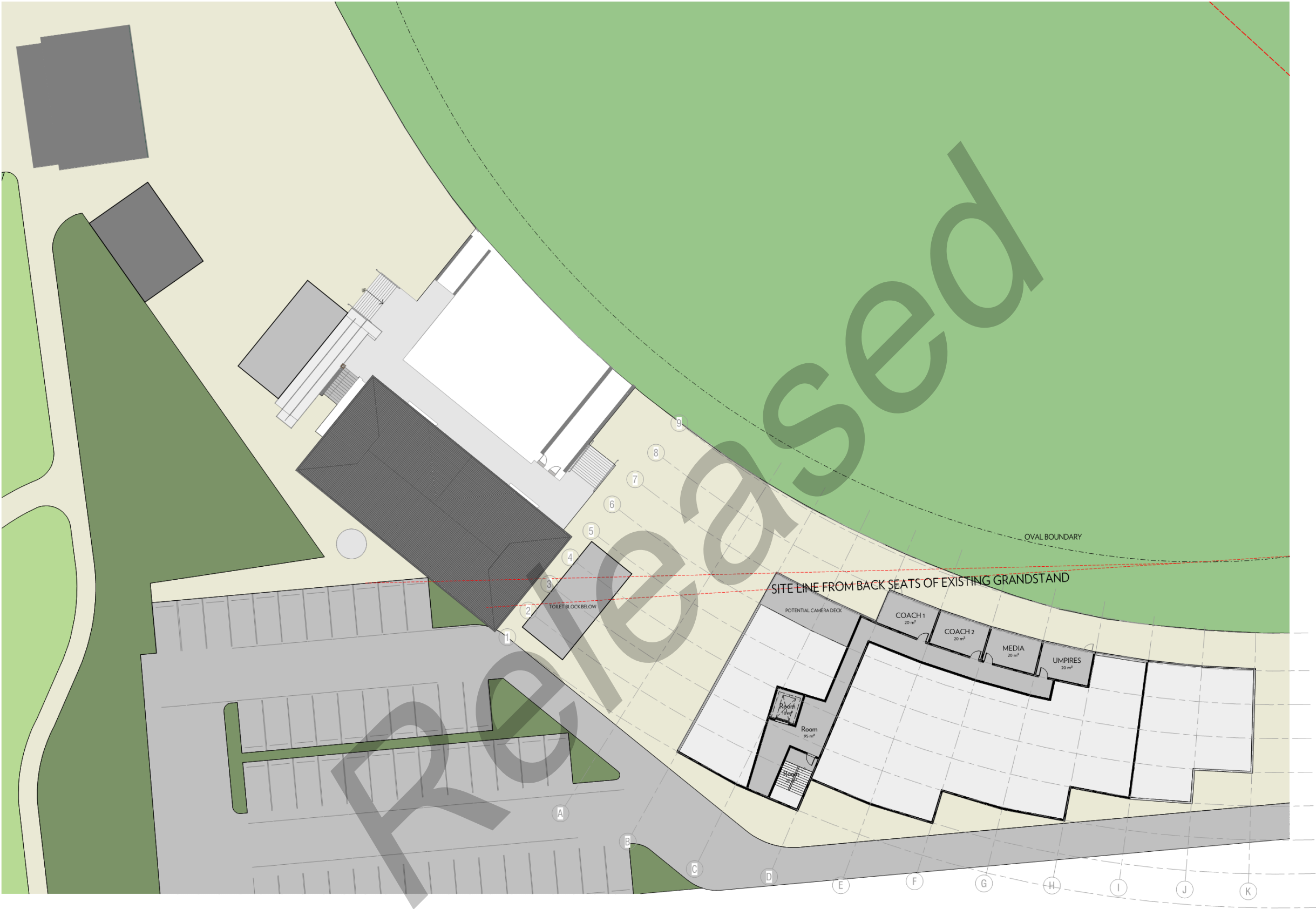
WALTER BROOKE ARCHITECTURE
INTERIOR DESIGN
LANDSCAPE ARCHITECTURE
MASTER PLANNING



THEBARTON OVAL PRECINCT
SANFL

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

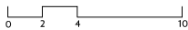
DRAWN BY: Andrew O'Donnell DATE: 31/08/2021 10:34 AM C:\Users\andrew\Documents\10_Thebarton Oval 2021\map04.dwg



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

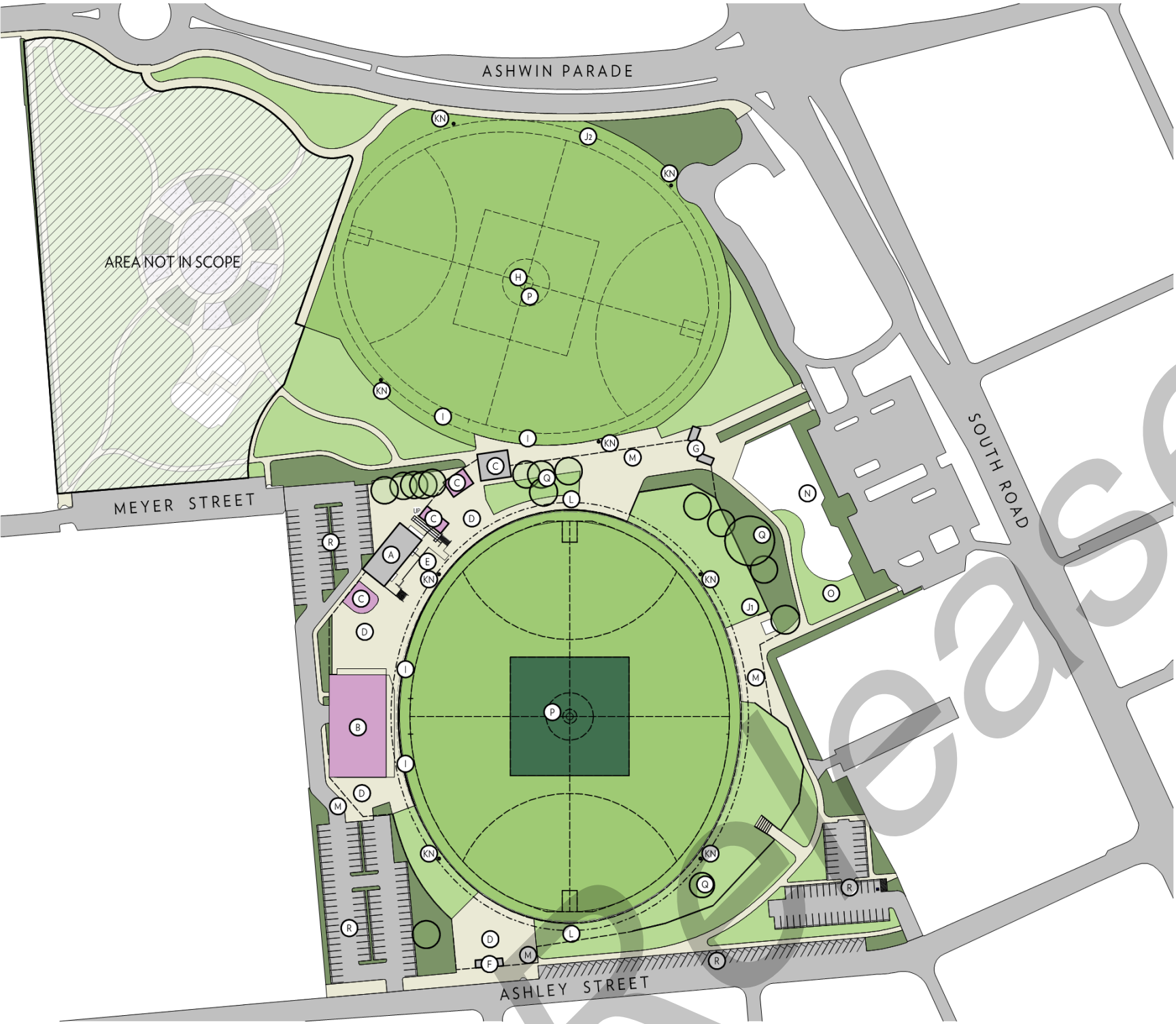
PRELIMINARY

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
- A Phil Ridings Grand Stand
 - Existing Heritage Listed Grandstand retained. Refurbished for two new AFL regional standard changerooms.
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 - Two AFL State Standard Changerooms, Umpires, Gymnasium, Public Toilets, Bar, Kiosk, SANFL Offices, AdFL Offices, Function Room, Match Day Facilities
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DRAWN BY: Andrew O'DATE DATE: 31/08/2021 10:32 AM C:\Users\andrew\Documents\Thebarton Oval Precinct 2021.dwg WBA/arc

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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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