



CITY OF
Port Adelaide Enfield

14 July 2021

Dear Resident

RE: ALBERTON OVAL PRECINCT CONSULTATIONS

This letter outlines

- Proposed changes to the way Alberton Oval is managed
- Elements that Council is seeking community feedback on
- Different ways that you can have your say – online, in person or in writing (closing 5pm 27 Aug 2021)

We acknowledge that the future of Alberton Oval is of strong interest to many in our community.

Note that no decision has been made by Council (aside from to progress with community consultation), as we want to understand all views before making any decisions.

We appreciate that this letter is lengthy, and there is a complexity in the processes that Council is legally obliged to follow. However, it is important that the content of this letter comprehensively outlines all elements of each process, and that the issues are explained in detail to inform those wishing to provide feedback.

As such, to assist in understanding and participating in this process, we have created a Frequently Asked Questions section on our online engagement page at <https://haveyoursay.cityofpae.sa.gov.au/alberton-oval>

If you have further questions on any element of this process or consultation, please get in touch with Council's Property Team via telephone 08 8405 6600, or email service@cityofpae.sa.gov.au. Please also let us know if you require assistance accessing the information on Council's website, alternatives can be arranged for those with limited internet access. Interpreters and cultural advisors are available on request.

Background

Port Adelaide Football Club ('PAFC') has approached Council with a redevelopment proposal for Alberton Oval. This proposal incorporates new facilities that PAFC would like to build, and outlines that the PAFC have requested a ground lease to facilitate the building and management of the new facilities. PAFC have advised that the new facilities will be available for community use outside of PAFC's own use.

There is a separate Development Application that has been submitted by PAFC to Council which will be subject to its own statutory assessment process, which will include a separate notification process.

In order for the development to proceed, in its capacity as landowner, Council must separately approve:

- Changes to the current Community Land Management Plan for Alberton Oval; and
- A new ground lease for a portion of the Alberton Oval precinct.

Council is required to seek community feedback on these two elements before making a decision. As such, the following consultation is occurring.

CIVIC CENTRE

163 St Vincent Street,
Port Adelaide SA 5015
PO Box 110,
Port Adelaide SA 5015

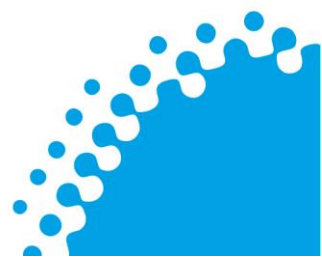
COUNCIL OFFICES

Enfield Library
1 Kensington Crescent, Enfield
Greenacres Library
2 Fosters Road, Greenacres

CONTACT

P (08) 8405 6600
E service@cityofpae.sa.gov.au
www.cityofpae.sa.gov.au

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ALBERTON OVAL PRECINCT CONSULTATIONS

Council is seeking feedback on two proposals in relation to Alberton Oval:

1. DRAFT ALBERTON OVAL COMMUNITY LAND MANAGEMENT PLAN

Pursuant to Section 196 & 197 *Local Government Act, 1999*

2. ALIENATION OF COMMUNITY LAND BY LEASE OR LICENCE FOR A TERM UP TO 42 YEARS, THAT ALLOWS FOR THE CONSTRUCTION OF A MULTI-SPORT RECREATION FACILITY

Pursuant to Section 202 *Local Government Act, 1999*

Council is requesting separate feedback on the two proposals mentioned above and encourages the community to provide its feedback, both positive and negative. All feedback will help Council make a decision on the Draft Community Land Management Plan ('CLMP'), and if progressed, then the alienation of the Community Land by Lease and Licence, which would also incorporate Council's consent (in its capacity as landowner) for the construction of the facility and accepting a boundary realignment.

1. Draft Community Land Management Plan

The parcel known as Alberton Oval, legally described as Allotment 51 in Deposited Plan 82919 Certificate of Title Volume 6068 Folio 489, is classified as Community Land and is approximately outlined in yellow on the plan attached.

Alberton Oval is currently contained within Council's Community Land Management Plan for Commercial Properties (available at https://www.cityofpae.sa.gov.au/_data/assets/pdf_file/0024/410838/CLMP-Commercial-Property-adopted-13-Oct-2020.pdf).

The PAFC's proposal being considered by Council may not be consistent with the objectives of the current Commercial Properties CLMP adopted for Alberton Oval.

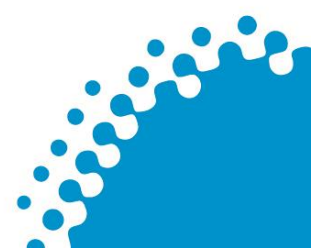
It is felt prudent that a CLMP that specifically addresses the unique nature of the Alberton Oval will better facilitate and support shared community use of the land in the future, including in connection with any redevelopment by the PAFC (should the CLMP be adopted by Council).

As such, a proposed Draft CLMP for Alberton Oval has been prepared, and is available on Council's Website (<https://haveyoursay.cityofpae.sa.gov.au/alberton-oval>) or for inspection at Council's Civic Centre located at 163 St Vincent Street, Port Adelaide.

The proposed CLMP for Alberton Oval takes into account the Council's objectives for the use of the land, PAFC's existing use of the land, the mix of club and community facilities on offer and the facilitation of exclusive and non-exclusive use of the land by various sporting clubs, including this proposal, under lease or licence arrangements, where appropriate.

Community Land

The *Local Government Act 1999* ('the Act') dictates that all land owned by or under the "care and control" of Council is classified as Community Land unless the land was excluded from Community Land classification, is a road, or has had its classification as Community Land revoked.



All Community Land must be subject to a management plan which states the purpose for which the land is held by Council; and states the Council's objectives, policies (if any) and proposals for the management of the land.

Council cannot sell Community Land and must carry out public consultation in accordance with its public consultation policy prior to granting a lease or licence for a term in excess of five years.

The CLMP helps guide Council in its decision-making processes in relation to the use of the Land, including: whether to grant a lease or licence, permitted use, and approval in its capacity as land owner for development activities.

Next steps

After consideration of community feedback, Council may decide to either:

1. Keep the land comprising Alberton Oval within its existing Commercial Properties CLMP, or
2. Adopt the Draft Alberton Oval CLMP as it is currently written, or
3. Adopt an amended draft Alberton Oval Community Land Management Plan which may require further community engagement if there are significant changes to be made.

If, after consideration of the consultation feedback, Council resolves to adopt the draft CLMP, the Act requires Council to give public notice of the adoption of the Management Plan. Once this notice has been placed, the Community Land Management Plan will take effect.

2. Alienation of Community Land for a Term of up to 42 Years

In order to facilitate their proposed redevelopment, PAFC have requested Council lease a portion of Alberton Oval to the PAFC.

The lease proposal envisages an Agreement for Lease being entered into with a number of conditions precedent. Under the proposal, a 'ground lease' would be granted to PAFC whereby PAFC would be permitted to undertake the development as approved by Council. At the expiry or earlier termination of the lease term all improvements would be turned over to the Council or removed. The Council would not be responsible for the repair or maintenance of any buildings constructed on the land by PAFC during the lease term. A lease term of 42 years is proposed, which is the maximum term allowable for community land.

Proposed Key Lease Terms

- 42 (forty two) year term
- Ground Lease only (over the area marked in red on the plan attached)
- \$1 per annum (if demanded) rent
- Excludes new soccer facility which is to be incorporated in the existing combined lease and licence agreement to PAFC

To avoid any doubt, the proposed soccer pitch adjacent to the new building would not be included in a lease. Rather, use of the proposed soccer pitch would be dealt with as part of existing licence arrangements over Alberton Oval, and this area would continue to be Council's responsibility to maintain. PAFC's licence area maintenance fee would be reviewed by Council, taking into account any additional maintenance costs.

It is important to note that the progression of this lease proposal is contingent on the adoption of a new CLMP, which is why the two proposals are being consulted on concurrently but subject to entirely separate consideration.



If the Draft CLMP is not adopted, the lease and redevelopment proposal will not be progressed.

Boundary Realignment

By way of background, if the CLMP and Lease proposals are progressed, one of the issues presented within the proposed redevelopment is the construction of a building across two land parcels with different ownership. Lot 50 is owned by PAFC and the larger surrounding Lot 51 (referred to herein as the Alberton Oval) is owned by Council (and is Community Land). The redevelopment would involve partial demolition and expansion of the existing Allan Scott Headquarters building that currently straddles the boundary of these two parcels of land.

In order to satisfy building compliance requirements, the internal firewall that divides the two main areas of the building is required to be placed on the boundary of the two titles. This is the reason that as part of its proposal, PAFC have requested that the boundary be altered in line with the proposed new building layout. Where the boundary is altered as proposed, a portion of Lot 50 (approximately 1,579 sqm) would be amalgamated into the larger surrounding Lot 51. In reference to the plan attached, it is proposed that the balance of the area marked in red that is not contained within the parcel of community land outlined in yellow, becomes part of the yellow parcel (and therefore community land to which the relevant CLMP would also be applicable). The effect of this being that Council would be acquiring land from PAFC for nil financial consideration.

Next steps

It is important to note that the grant of any lease to the PAFC is conditional upon:

- the outcomes of consultation in respect of the CLMP and the resultant adoption (if at all) of a CLMP that supports leasing of the land; and
- the outcomes of consultation in respect of the lease proposal; and
- Council, should it see fit to do so, successfully progressing a boundary realignment as proposed by the PAFC (PAFC transferring a portion of land to Council, in order to facilitate design requirements).

Further information including Frequently Asked Questions and PAFC's plans are available on Council's website (<https://haveyoursay.cityofpae.sa.gov.au/alberton-oval>) and to view at the Civic Centre 163 St Vincent Street, Port Adelaide.

Providing Feedback

Feedback from the community on the proposals detailed in this letter is invited and encouraged. All responses from the community will be considered by Council in its decision making.

You can have your say by visiting our online engagement platform Have Your Say PAE (<https://haveyoursay.cityofpae.sa.gov.au/alberton-oval>). An online submission form will allow you to provide any feedback you have on either proposal, and to seek further information.

Council will be holding community information sessions at City of Port Adelaide Enfield Town Hall, 34 Nile St Port Adelaide. Members of the public are invited to attend to hear more information on the proposals from Council Officers.



Session times available are:

- Monday 2 August 2021 – 2.00pm – 3.00pm
- Monday 2 August 2021 – 6.30pm – 7.30pm
- Saturday 7 August 2021 – 11.00am – 12.00pm
- Saturday 7 August 2021 – 1.30pm – 2.30pm

You will be required to pre-register your attendance at a session (link to register can be found at <https://haveyoursay.cityofpae.sa.gov.au/alberton-oval>). Numbers for each session are limited to ensure COVID safety. If these sessions become fully booked, Council will consider holding further sessions.

It is preferred that your feedback is made via Have Your Say PAE website (<https://haveyoursay.cityofpae.sa.gov.au/alberton-oval>), however if you are unable to do so, then your feedback can be posted to PO Box 110, Port Adelaide SA 5015, OR hand delivered to the Civic Centre at 163 St Vincent Street, Port Adelaide, OR emailed to consultation@cityofpae.sa.gov.au. Your feedback must be made in writing and must clearly identify the proposal you are wishing to make comment on, being headed either 'Alberton Oval - Community Land Management Plan' or 'Alberton Oval – Alienation of Community Land' depending on which proposal your feedback is in relation to, noting that we do require separate feedback on each proposal.

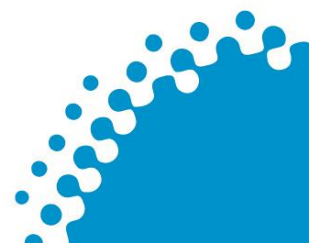
It is a requirement that all feedback includes your name, address and contact information. Please note, all submissions will become public documents upon receipt.

Residents may obtain further information by contacting Council's Property Team on telephone 08 8405 6600, or email service@cityofpae.sa.gov.au – please get into contact with us if you require assistance accessing the information on Council's website, alternatives can be arranged for those with limited internet access. Interpreters and cultural advisors are available on request.

The closing date for submissions is 5pm Friday 27 August 2021.

Yours sincerely,

Mark Buckerfield
Director City Assets
City Port Adelaide Enfield



Attachment 1

