
Governance and Administration Matters - 12 September 2023

ITEM 7.3 **Lease to EBP Sports (previously Earlwood Bardwell Park RSL Club Limited)- 134 Woolcott Street Earlwood**

AUTHOR **Corporate**

PURPOSE AND BACKGROUND

Council to consider entering into a new lease arrangement with EBP Sports (previously Earlwood Bardwell Park RSL Club) for the property located at 134 Woolcott Street Earlwood.

Council has negotiated a Heads of Agreement, which is proposed to be publicly exhibited, subject to Council's consideration.

ISSUE

Council to consider publicly exhibiting the proposed lease arrangement with EBP Sports and be provided with a further report on the matter for its consideration/decision.

RECOMMENDATION That -

1. Council agrees in-principle to granting a new five year lease with a five year option to EBP Sports located at 134 Woolcott Street Earlwood.
2. Council publicly exhibits the proposed lease in accordance with the requirements of the Local Government Act 1993.
3. At conclusion of the public exhibition period, a further report be provided to Council for its consideration and decision.

ATTACHMENTS

Nil

POLICY IMPACT

The report has no policy impact.

FINANCIAL IMPACT

The total fees for the lease with EBP Sports Club is to be set at \$70,750 pa + GST + CPI in accordance with the registered valuers valuation report and has been accounted for in Council's budget.

COMMUNITY IMPACT

The EBP Sports Club serves as a vital community hub, offering residents a focal point for a diverse range of social, sporting, and recreational activities. This establishment plays a pivotal role in fostering community engagement and creating a shared space where residents can come together to connect, unwind, and participate in various events. Through its offerings, the club contributes to the overall well-being and vibrancy of the local community, enriching the lives of residents.

DETAILED INFORMATION

Background

EPB Sports (previously known as Earlwood Bardwell Park RSL Club Limited) is located at 134 Woolcott Street, Earlwood. EPB Sports exercised its final five year lease option, with the current lease set to expire on 31 May 2025. The current lease does not have any further options available.

The Club has approached Council seeking a new 5+5 year lease once the current lease expires in May 2025. This means that the proposed new lease will not commence until May 2025.

The Club's facilities encompass a Club premises, two bowling greens, and front and rear parking areas (refer below aerial photograph).

**Aerial photograph showing proposed leased area at
134 Woolcott Street, Earlwood**



Agreed Lease Terms and Conditions

Lease Term	Lease Fee
Five years with five year option	\$70,750 pa + GST + CPI

As EBP Sports is a not-for-profit entity, the proposed lease is exempt from the tendering provisions of the Local Government Act 1993 (section 55 (3) (e)). Therefore, the Club's request for a new 5+5 year lease may be considered without necessitating a tender process. Given EBP Sports is a well-established family orientated local facility that has served the Earlwood community for decades, it is recommended Council directly negotiate leasing arrangements with the Club.

Renovation Plans

The Club intends to undertake renovations, including replacing the asbestos roof at an estimated cost of \$310,000 and upgrading fire services to align with current building codes at an approximate cost of \$180,000. Additionally, the Club seeks to repurpose one bowling green into a casual dining area and a community garden.

The Club is prepared to meet the costs of the Building works if it is granted a new 5+5 year lease to amortise the cost.

Prior to entering into any new lease agreement, the Lessee will be required to commission a Building Condition Report. This report aims to assess the necessary scope of work for the building and its associated equipment, ensuring that the premises meet acceptable building standards. The Lessee will present this report to the Council for assessment and approval prior to entering into any lease arrangements.

Furthermore, the Lessee will be required to develop an Asset Management Plan, itemising annual repairs and maintenance needed for the Premises throughout the lease period, to ensure its ongoing compliance with relevant building standards. This document will be included with the lease agreement.

Plan of Management

The Lessee's proposal to transform one of the two bowling greens into a casual dining area and community garden is supported. However, this approval is contingent upon the Lessee meeting any planning requirements, ensuring the maintenance of one full Bowling Green up to competition standards and continuing financial backing for both Men's and Ladies Bowls throughout the lease period.

The proposed use of the land aligns with the core objectives identified in the adopted Generic Plan of Management and Council's long term strategy for the site.

Suggested Approach

Having agreed to the primary terms and conditions, it is now proposed that in accordance with the relevant provisions of Sections 46 and 47 of the Local Government Act 1993, that Council:

- Publicly Exhibit the intended leasing arrangements with EBP Sports
- Provide the community an opportunity to convey any relevant feedback regarding the intended arrangements
- That following the exhibition process, a further report be provided to Council for its consideration and decision.