



The Adelaide Park Lands Authority was established by the *Adelaide Park Lands Act 2005 (SA)* as a subsidiary of the City of Adelaide under the provisions of the *Local Government Act 1999 (SA)*.

As part of the Park Lands governance framework the Adelaide Park Lands Authority is the principle advisory body to the City of Adelaide (CoA) and the South Australian State Government (SG) on Park Lands matters.

The Authority provides guidance around the use of and improvement to the Adelaide Park Lands through the development of the Adelaide Park Lands Management Strategy 2015 – 2025, which can be found [here](#)

Thursday 20 May 2021 Board Meeting

Membership

The Lord Mayor
4 other members appointed by the Council
5 members appointed by the Minister

Quorum

6

Presiding Member

The Right Honourable the Lord Mayor Sandy Verschoor

Deputy Presiding Member

Ms Kirsteen Mackay

Board Members

Ms Allison Bretones
Mr Rob Brookman AM
Ms Jessica Davies-Huynh
Mr Stephen Forbes
Councillor Alexander Hyde
Ms Stephanie Johnston
Mr Craig Wilkins
Mr Ben Willsmore

Proxy Board Members

Councillor Arman Abrahamzadeh (for Councillor Alexander Hyde)
Professor Emeritus Damien Mugavin (for Ms Stephanie Johnston)

Board Meeting Agenda, Thursday 20 May 2021, at 5:30 pm
Colonel Light Room, Town Hall, King William Street, Adelaide

Agenda

		Purpose	
1.	Welcome and Opening		
1.1	Acknowledgement of Country	To Acknowledge	Page 3
1.2	Apologies	To Note	Page 3
1.3	22/4/2021 Minutes	To Confirm	Page 3
1.4	Business Arising	To Note	Page 3
2.	Conflict of Interest	To Note	
3.	Presiding Member Report (verbal)	To Note	
4.	Representations (verbal)	Granted as at 14/5/2021	
	Nil	To be Heard for up to 5mins	
5.	Items for Board Decision		
5.1	Adelaide Park Lands Regulations 2006 (SA) [2006/00219]	Decision to Advise State Government & CoA	Page 4
6.	Items for Board Discussion		
6.1	Associate Director Update	To inform	
7.	Items for Noting		
	Nil		
8.	Other Business & Meeting Close	Identified as at 14/5/2021	
	Nil	To discuss	
	Next meeting – Thursday, 24 June 2021, 5.30pm	To Note	

1. Welcome and Opening

1.1 Acknowledgement of Country

At the opening of the Board Meeting, the Board member presiding will state:

'Adelaide Park Lands Authority acknowledges that we are meeting on traditional Country of the Kaurna people of the Adelaide Plains and pays respect to Elders past and present. We recognise and respect their cultural heritage, beliefs and relationship with the land. We acknowledge that they are of continuing importance to the Kaurna people living today.

And we also extend that respect to other Aboriginal Language Groups and other First Nations who are present today.'

1.2 Apologies

Nil

1.3 Confirmation of Minutes – 22/4/2021

That the Minutes of the meeting of the Board of the Adelaide Park Lands Authority held on 22 April 2021 be taken as read and be confirmed as an accurate record of proceedings.

1.4 Actions Arising

Items with an asterisk have been actioned

Those Items identified as Complete at the April Board Meeting have been removed

Board Meeting	<u>Actions Arising</u> (Precis)	<u>Topic</u>
25 February 2021	2. Charter amendments to clarify	CoA – Board Support, Portfolio Restructure and Resourcing
	*4. Report requested for April	CoA Annual Business Plan and Budget
	5. Additional information sought	Expression of Interest Results - Rowing Club Building – Red Gum Park / Karrawirra (Park 12) [s 90(3) (b)]
Board Meeting 25 March 2021	<u>Actions Arising</u> (Precis)	<u>Topic</u>
	8. Investigate consultation practices	CLMP engagement
	9. Paper sought to lead discussions	CLMP targets & measures
	12. Briefing request	Riverbank Arena for Adelaide
	13. Briefing request	Draft Riverbank Masterplan
Board Meeting 22 April 2021	<u>Actions Arising</u> (Precis)	<u>Topic</u>
	*14. Circulate Regulations	Adelaide Park Lands Regulations
	*15. Additional information sought	CoA 2021/2022 Draft Business Plan & Budget
	16. Review and advise Board	Adelaide Oval Parking
	*17. Verbal & written form when required	Significant Projects – Progress Updates

Status Update for Actions Arising in in Link 1 [here](#)



Adelaide Park Lands Regulations 2006 (SA)

ITEM 5.1 20/05/2021
Board Meeting

Author:
Michelle English, Associate
Director, Park Lands, Policy &
Sustainability 8203 7687

2006/00219
Public

Purpose

The purpose of this paper is to facilitate consideration by the Board of the expiry of the *Adelaide Park Lands Regulations 2006 (SA)* (Regulations). These Regulations came into effect in December 2006 and expire on 1 September 2021. The Regulations are subordinate legislation which are to be read with and provide more detail on how certain provisions of the *Adelaide Park Lands Act 2005 (SA)* are to be applied. The Regulations have remained unchanged since they came into effect and are not complex.

Prior to the drafting of new regulations, the Attorney-General's Department is seeking comment and at this stage has indicated it is unlikely to make any changes. The City of Adelaide Administration is recommending only one minor change.

Recommendation

THAT THE ADELAIDE PARK LANDS AUTHORITY ADVISES THE STATE GOVERNMENT AND COUNCIL:

That the Adelaide Park Lands Authority:

1. Recommends that, following their expiry on 1 September 2021, the *Adelaide Park Lands Regulations 2006 (SA)* be re-drafted so that Regulation 6 provides for the inclusion of sub-leases rather than their exclusion, so as to identify all rights of use in the Adelaide Park Lands.
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Implications

Adelaide Park Lands Management Strategy 2015-2025	Adelaide Park Lands Management Strategy 2015-2025 Not as a result of this report
APLA 2020-2025 Strategic Plan	Adelaide Park Lands Authority 2020-2025 Strategic Plan Strategic Plan Alignment – Advice Provide advice on plans, projects and policies for the Adelaide Park Lands
Policy	Not as a result of this report
Consultation	Not as a result of this report
Resource	Not as a result of this report
Risk / Legal / Legislative	Not as a result of this report
Opportunities	Not as a result of this report
City of Adelaide Budget Allocation	Within existing resources
Life of Project, Service, Initiative or (Expectancy of) Asset	The current <i>Adelaide Park Lands Regulations 2006 (SA)</i> expire 1 September 2021
Ongoing Costs (eg maintenance cost)	Not as a result of this report
Other Funding Sources	Not as a result of this report

Discussion

The Adelaide Park Lands Act

1. The *Adelaide Park Lands Act 2005 (SA)* (the Act) “*establishes a legislative framework that promotes the special status, attributes and character of the Adelaide Park Lands; to provide for the protection of those park lands and for their management as a world-class asset to be preserved as an urban park for the benefit of present and future generations*”. The Act sets out to achieve this objective by:
 - 1.1. Establishing seven statutory principles for the management of the Adelaide Park Lands
 - 1.2. Establishing the Adelaide Park Lands Authority (APLA)
 - 1.3. Defining the Adelaide Park Lands
 - 1.4. Requiring the preparation of an Adelaide Park Lands Management Strategy (by APLA)
 - 1.5. Establishing the Adelaide Park Lands Fund.
2. The Act itself can be found in Link 1 [here](#) . A summary of the Act’s relevant provisions and the *Adelaide Park Lands Regulations 2006 (SA)* (the Regulations) can be found in Link 2 [here](#) .
3. The Regulations are subordinate legislation which are to be read with and provide more detail on to how the provisions of the Act are applied.

The Adelaide Park Lands Regulations 2006

4. The Regulations, which can be found in Link 3 [here](#) expire on 1 September 2021 and have remained unchanged since their commencement. The Attorney-General’s office is redrafting the Regulations and has written to the Lord Mayor seeking advice on whether any changes should be made. The Attorney General’s office have advised that no changes have been suggested at this stage.
5. The Regulations relate to the Act as follows:
 - 5.1. The Act defines ‘State Authorities’ for the purposes of those State Government agencies having responsibilities in the Park Lands. Regulation 4 additionally captures the Royal Zoological Society of South Australia Inc.
 - 5.2. The Act requires the preparation of the Adelaide Park Lands Plan and public notice of its availability. Regulation 5 stipulates that the public notice is to be via the State Government Gazette.
 - 5.3. The Act requires the Adelaide Park Lands Management Strategy to identify leases in the Park Lands. Regulation 6 stipulates that those leases do not need to include “an individual interment or memorial right” at West Terrace Cemetery or land in the Park Lands subject to a sub-lease where the head lease is identified.
 - 5.4. The Act requires the preparation of management plans by State Government authorities for the areas of the Park Lands for which they are responsible. Regulation 7 stipulates that those management plans must be made available for public inspection without charge during normal office hours at offices nominated by the State Government agency and on the internet.
 - 5.5. The Act identifies that the Minister is required to prepare a report identifying the State Government’s position on the future use and status of any land which a State Authority no longer requires for any of its existing uses. Regulation 8 stipulates that such a report is required within 18 months.
6. Administration recommends that the Regulations be redrafted with only one amendment to Regulation 6.
7. A sub-lease can be an important consideration for the use of leased areas of the Park Lands. For clarity regarding who has rights to use areas of the Park Lands, it is recommended that the restriction on identified uses under Regulation 6 is amended so that sub-leases are able to be identified.

Attachments

Nil

- END OF REPORT -