



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 26 August 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)

Agenda

	Purpose	
1. Welcome and Opening		
1.1 Acknowledgement of Country	To Acknowledge	Page 3
1.2 Apologies	To Note	Page 3
1.3 22/7/2021 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 20/8/2021	
Nil	To be Heard for up to 5mins	
5. Items requested to be considered in confidence		
5.1 Exclusion of the Public	To exclude the public	Page 4
6. Item for the Board in confidence		
6.1 Item for Board Discussion - Riverbank Precinct Code Amendment [s90(3) (j)]	To inform	
Reopen meeting to the public		
7. Items for Board Decision		
7.1 SAPOL horse agistment in Bonython Park / Tulya Wardli (Park 27) [2021/117550]	Decision to Advise CoA	Page 7
8. Items for Board Discussion		
8.1 Associate Director Update	To inform	
8.2 Community Forum	To discuss/confirm	
8.3 Adelaide Park Lands Management Strategy – Update on Review, August 2021	To discuss	Page 12
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9. Items for Noting		
9.1 Proposed State Government projects in the Adelaide Park Lands (Riverbank Precinct) [2021/01631]	To Note	Page 39
9.2 Correspondence Verbal Update from Presiding Member	To Note	
10. Other Business & Meeting Close	Identified as at 20/8/2021	
Nil	To discuss	
Next meeting – Thursday, 23 September 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 – 22/7/2021

That the Minutes of the Telecommunications meeting of the Board of the Adelaide Park Lands Authority held on 22 July 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 July Board Meeting have been removed

Board Meeting	<u>Actions Arising</u> (Precis)	<u>Topic</u>
25 March 2021	9. Paper sought to lead discussions	CLMP targets & measures
Board Meeting 24 June 2021	<u>Actions Arising</u> (Precis)	<u>Topic</u>
	*21. Circulate link & request a Briefing	State Budget Announcement & Women & Children's Hospital construction next to the Royal Adelaide Hospital
	*24. Email Presiding Member & Sub-Committee meet	Community Forum Sub-Committee
Board Meeting 22 July 2021	<u>Actions Arising</u> (Precis)	<u>Topic</u>
	25. Request a Briefing	Parking in the Park Lands
	*26. Circulate Easy Guides & Timelines.	Community Land Management Plans
	27. Discuss and scope direction	Community Forum
	28. Draft Risk Register	Risk Management & Mitigation
	29. Workshop	Adelaide Park Lands Act 2005 (SA)
	30. Schedule a 1 and half hour walk	Site Visit Scheduling
	31. Progress for the next 6 months	Forward Agenda

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

Exclusion of the Public

**ITEM 5.1 26/08/2021
Board Meeting**

Requested by:
Clare Mockler, Acting Chief
Executive Officer

2018/04291
Public

Purpose

It is a requirement of the *Adelaide Park Lands Act 2005 (SA)* [13 (c)] reflected in clause 4.8.19 of the *Adelaide Park Lands Charter*, that meetings of the Authority be conducted in a place open to the public except in special circumstances. These circumstances and associated considerations to exclude the public from a Board meeting are outlined in section 90 the *Local Government Act 1999 (SA)* (the Act).

Clause 4.8.21 of the *Adelaide Park Lands Charter* states the Board may order that the public be excluded from attendance at any meeting in order to enable the Board to consider in confidence any information or matter listed in section 90(3) of the Act (after taking into account any relevant consideration under that section). The exercise of this power does not exclude Board Members and/or any other person permitted by the Board to remain in the room.

The Order to Exclude for Item 6.1

1. Identifies the information and matters (**grounds**) from section 90(3) of the Act utilised to request consideration in confidence.
2. Identifies the **basis** – how the information falls within the grounds identified and why it is necessary and appropriate to act in a meeting closed to the public; and
3. In addition, identifies for the following grounds – section 90(3) (b), (d) or (j) - how information open to the public would be contrary to the **public interest**.

All Board members must keep confidential all documents and any information presented to them for consideration on a confidential basis prior to the meeting.

Exclusion of the public from this Adelaide Park Lands Authority Board meeting has been requested by the State Government and is sought for the consideration of the following Agenda Item:

- 6.1 Riverbank Precinct Code Amendment [section 90(3) (j) of the Act]

Order to Exclude for Item 6.1

THAT THE ADELAIDE PARK LANDS AUTHORITY

1. Having taken into account the relevant considerations contained in Clause 4.8.21 of the *Adelaide Park Lands Authority Charter* and s 90(3) (j) and 90(4) & (7) of the *Local Government Act 1999 (SA)*, this meeting of the Board of the Adelaide Park Lands Authority dated 26 August 2021 resolves that it is necessary and appropriate to act in a meeting closed to the public as the consideration of Item 6.1 [Riverbank Precinct Code Amendment] listed on the Agenda in a meeting open to the public would on balance be contrary to the public interest.

Grounds and Basis

This Item contains information of a confidential nature which the State Government has requested be considered in confidence on the grounds that the details are still being resolved and the release of this information prematurely may be misleading. The disclosure of the draft details could reasonably be expected to prejudice the negotiations of the State Government with external parties.

Public Interest

The Board is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because the disclosure of this information may result in the release of information prior to finalisation. The disclosure of this information may materially and adversely affect the negotiations and the ability to discuss/participate or influence a proposal for the benefit of the Council and the community in this matter which on balance would be contrary to the public interest.

2. Pursuant to Clause 4.8.21 of the *Adelaide Park Lands Authority Charter* this meeting of the Board of the Adelaide Park Lands Authority dated 26 August 2021 orders that the public (with the exception of members of Council staff who are hereby permitted to remain) be excluded from this meeting to enable the Board to consider in confidence Item 6.1 [Riverbank Precinct Code Amendment] listed in the Agenda, as the matter is of a kind referred to in s 90(3) (j) of the *Local Government Act 1999 (SA)*.

Discussion

1. The *Adelaide Park Lands Act 2005 (SA)* requires the Authority to operate utilising Chapter 6 Part 3 of the *Local Government Act 1999 (SA)* (the Act). Chapter 6 Part 3 relates to public access to meetings and outlines the conduct to be observed by the Authority.
2. It is a requirement of the *Adelaide Park Lands Act 2005 (SA)* [13 (c)] reflected in clause 4.8.19 of the *Adelaide Park Lands Charter* (Charter), that meetings of the Authority be conducted in a place open to the public except in special circumstances. These circumstances and associated considerations to exclude the public from a Board meeting are outlined in Chapter 6, Part 3 of the Act.
3. To consider a matter in confidence, the Board through a formal resolution is required to:
 - 3.1 Identify the information and matters (grounds) from section 90(3) of the Act utilised to request consideration in confidence.
 - 3.2 Identify the basis – how the information falls within the grounds identified and why it is necessary and appropriate for the Board to act in a meeting closed to the public; and
 - 3.3 In addition identify for the following grounds – section 90(3) (b), (d) or (j) – how information open to the public would be contrary to the public interest.
4. The Charter contains the following clauses in relation to Meetings of the Board /Authority:
 - '4.8.19 Meetings of the Board must be conducted in a place open to the public.'
 - '4.8.20 All Board Members must keep confidential all documents and any information provided to them on a confidential basis for their consideration prior to a meeting of the Board, except in those circumstances prescribed by section 12 of the Park Lands Act and clause 35 of Schedule 2 to the LG Act.'
For reference – Section 12 of the Park Lands Act and clause 35 of Schedule 2 to the LG Act read:
12—Reports
 - (1) A member of the board of management of the Authority does not commit a breach of a duty of confidence by reporting a matter relating to the affairs of the Authority to the Minister.
 - (2) The Authority must, at the time that it furnishes its annual report to the Adelaide City Council, furnish a copy of the report to the Minister.
 35—Disclosure
 - (1) If a subsidiary discloses to a person in pursuance of this Schedule a matter in respect of which the subsidiary owes a duty of confidence, the subsidiary must give notice of the disclosure to the person to whom the duty is owed.
 - (2) A member of the board of management of a subsidiary does not commit a breach of duty by reporting a matter relating to the affairs of the subsidiary to a council or otherwise in accordance with the provisions of this Act.
 - '4.8.21 The Board may order that the public be excluded from attendance at any meeting in order to enable the Board to consider in confidence any information or matter listed in section 90(3) of the LG Act (after taking into account any relevant consideration under that section). The exercise of this power does not exclude Board Members and/or any other person permitted by the Board to remain in the room.'
 - '4.8.22 Where an order is made under sub-clause 4.8.21, a notice must be made in the minutes of the making of the order and of the grounds on which it was made.'
 - '4.8.23 Subject to sub-clause 4.8.25 a person is entitled to inspect, without payment of a fee:
 - (a) agendas and minutes of a Board Meeting;
 - (b) reports to the Board received at a meeting of the Board; and
 - (c) recommendations presented to the Board in writing and adopted by resolution of the Board.'
 - '4.8.24 Subject to sub-clause 4.8.25, a person is entitled, on payment of a fee fixed by the Board, to obtain a copy of any documents available for inspection under sub-clause 4.8.23.'

- ‘4.8.25 Sub-clauses 4.8.23 and 4.8.24 do not apply in relation to a document or part of a document if:
- (a) the document or part of the document relates to a matter of a kind referred to in sub-clause 4.8.21; and
 - (b) the Board orders that the document or part of the document be kept confidential (provided that in so ordering the Board must specify the duration of the order or the circumstances in which it will cease to apply or a period after which it must be reviewed).’
5. In considering whether an order should be made to exclude the public, section 90(4) of the Act applies, it is irrelevant that discussion of a matter in public may:
- 5.1 cause embarrassment to the council or council committee concerned, or to members or employees of the council; or
 - 5.2 cause a loss of confidence in the council or council committee.
 - 5.3 involve discussion of a matter that is controversial within the council area; or
 - 5.4 make the council susceptible to adverse criticism
6. In considering whether an order should be made to exclude the public section 90(7) of the Act applies, the order must specify
- 6.1 the grounds on which the order was made; and
 - 6.2 the basis on which the information or matter to which the order relates falls within the ambit of each ground on which the order was made; and
 - 6.3 if relevant, the reasons that receipt, consideration or discussion of the information or matter in a meeting open to the public would be contrary to the public interest.
7. When determining whether to exclude the public from the meeting the Authority is required to consider & resolve whether it is necessary and appropriate to act in a meeting closed to the public to consider the following information in confidence.
- 7.1 Information contained in Item 6.1 – Riverbank Precinct Code Amendment:
 - 7.1.1 Is not subject to an existing Authority Confidentiality Order
 - 7.1.2 Is not subject to an existing Council Confidentiality Order
 - 7.1.3 The grounds utilised to request consideration in confidence is s 90(3) (j) of the *Local Government Act 1999 (SA)*
 - (j) information the disclosure of which—
 - (i) would divulge information provided on a confidential basis by or to a Minister of the Crown, or another public authority or official (not being an employee of the council, or a person engaged by the council); and
 - (ii) would, on balance, be contrary to the public interest

Attachments

Nil

- END OF REPORT -

SAPOL horse agistment in Bonython Park / Tulya Wardli (Park 27)

ITEM 7.1 26/08/2021
Board Meeting

Author:

Lara Daddow, Acting Associate
Director, Park Lands, Policy &
Sustainability 8203 7687

2021/117550

Public

Purpose

SA Police (SAPOL) has used the Olive Grove plantation in Bonython Park / Tulya Wardli (Park 27) to agist the Police Greys (currently approximately 24 horses) probably since the Police Barracks were constructed in 1917. Following a number of interferences with the horses by the public, SAPOL is seeking permission to install a 2.4m high security fence around the site. SAPOL also wish to cover an existing exercise yard with a partially enclosed structure to provide protection from the elements. In the last two years, a system of internal fencing installed by SAPOL (without permission from City of Adelaide) within the Olive Grove to separate horses, together with higher stocking rates, has led to significant damage to this historic plantation.

Recommendation

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

That the Adelaide Park Lands Authority:

1. Recognises the significant cultural and historic values of both the:
 - 1.1. Olive Grove plantation in Bonython Park / Tulya Wardli (Park 27).
 - 1.2. Long term use of the Olive Grove and the adjacent Police Barracks by the SA Police Mounted Cadre and the community service provided by the officers and horses.
2. Recommends:
 - 2.1. The development of a comprehensive rehabilitation and maintenance program aimed at the long-term preservation of the Olive Grove plantation by SAPOL, including the following immediate measures:
 - 2.1.1. Removal of all internal fencing
 - 2.1.2. A reduction of at least 50% in the number of horses, commensurate with a stocking rate conducive to the long-term health and vitality of the trees
 - 2.1.3. Soil replenishment and aeration
 - 2.1.4. Care and pruning of individual trees particularly affected by the horses.
 - 2.2. State Heritage Listing of the Olive Grove be explored, based on its 1860s origins, its planting by prisoners of the adjacent Gaol and its contribution to the early economic development of Adelaide through the first commercial Olive Press in Australia.
3. Is conditionally supportive of the installation of a 2.4m high black tubular steel perimeter fence around the Olive Grove in Bonython Park to secure the SAPOL horses in recognition of the community service they provide, subject to:
 - 3.1. SAPOL's agreement to provide public access to the Olive Grove by arrangement, if requested, and
 - 3.2. There being no damage to the Olive trees or their root systems during the installation of the fence.
4. Is supportive of the installation of the proposed cover to the horse training arena given that it is not fully enclosed and not externally visible.

Implications

<p>Adelaide Park Lands Management Strategy 2015-2025</p>	<p>Adelaide Park Lands Management Strategy 2015-2025</p> <p>The Adelaide Park Lands Management Strategy makes the following references to the horse agistment activity in Bonython Park:</p> <p>“Bonython Park is a key family recreation destination offering a diverse cluster of attractions, including a model boat pond, playspaces, picnic grounds, kiosk, learn to ride facility and police horses within an attractive physical environment”.</p>
<p>APLA 2020-2025 Strategic Plan</p>	<p>Adelaide Park Lands Authority 2020-2025 Strategic Plan</p> <p>Strategic Plan Alignment – Management and Protection</p>
<p>Policy</p>	<p>The Community Land Management Plan for Bonython Park / Tulya Wardli (Park 27) states:</p> <p>“Work with State Government regarding the future of the Police Barracks and the Adelaide Gaol including management arrangements around the use of the area for agistment of SAPOL horses.”</p>
<p>Consultation</p>	<p>Not as a result of this report</p>
<p>Resource</p>	<p>Not as a result of this report</p>
<p>Risk / Legal / Legislative</p>	<p>The current 5-year lease agreement between SAPOL and City of Adelaide expires 31 August 2023. A 4-year right of renewal exists which could see the lease extended to 31 August 2027.</p>
<p>Opportunities</p>	<p>To ensure the ongoing health and survival of the historic Olive Groves in Bonython Park and the presence of the horses as an appreciated feature.</p>
<p>City of Adelaide Budget Allocation</p>	<p>Not as a result of this report</p>
<p>Life of Project, Service, Initiative or (Expectancy of) Asset</p>	<p>The current 5-year lease agreement between SAPOL and City of Adelaide expires 31 August 2023. A 4-year right of renewal exists which could see the lease extended to 31 August 2027</p>
<p>Ongoing Costs (eg maintenance cost)</p>	<p>It is anticipated that increased costs associated with improving the health and longevity of the Olive Trees will primarily be borne by SAPOL, as the lessee and beneficiary of the use of the Olive Grove.</p> <p>In assisting with this project, there may be some minor, associated maintenance cost increases for CoA, in the order of \$10k per annum.</p>
<p>Other Funding Sources</p>	<p>Not as a result of this report</p>

Discussion

Background

1. The subject of this report is a 2.1ha plantation of Olives (*Olea europaea*) which sits in the Adelaide Park Lands between Bonython Park and the Police Barracks, off Gaol Rd, as shown here [Link 1 here](#) .
2. The Olive Grove dates from 1862 when the Adelaide City Council planted 2ha. The plantation was extended by prisoners under the direction of Gaol Superintendent, Sheriff William Boothby. Boothby was instrumental in the advancement of Olive cultivation in South Australia and operated what is thought to be the first successful commercial Olive press in Australia
3. The Olive Grove plantings began just six years after the State Heritage Listed Olive plantation adjacent to Mann Terrace in North Adelaide, which dates from 1856-7. The Adelaide Park Lands Cultural Landscape Assessment identifies the Gaol Road Olive Grove as having high significance and recommends it for State Heritage Listing.
4. The State Government's Declared Plant Policy differentiates between plantation olives, those which have been deliberately planted, used and maintained and 'wilding olives', those feral olives which have self-seeded, or trees which are no longer used or maintained.
5. SAPOL has used the Olive Grove to agist the Police horses, stabled in the adjacent Barracks, since at least the 1970s, when a portion of the Olive Grove was also cleared as a training area for the horses. The first known Licence issued by the City of Adelaide (CoA) for the use of the Olive plantation, dates from the mid-1980s. However photos from the 1940s, prior to the development of Bonython Park, show horses grazing along the river which may have been Police horses.
6. The Police Barracks were constructed in 1917 to accommodate the South Australia Mounted Police, who moved from their premises located behind the South Australian Museum. The South Australian Mounted Police Cadre, established in 1838 (and currently included on the National Trust's list of Heritage Icons), is the oldest of its type in Australia, and, with the possible exception of the Royal Irish Mounted Constabulary, is the oldest in the world.
7. SAPOL has confirmed that it has no intention of vacating the Barracks site and values the proximity of this facility and the horses to the City very highly. SAPOL has approximately 30 horses, with 24 horses kept at the Barracks / Olive Grove and six at an agistment complex at Echunga. The Olive Grove is in use for 24 hours per day, every day. In 2018, SAPOL was provided with a five plus four-year Lease, [Link 2 here](#) , granting them exclusive use of the Olive Grove, with conditions regarding the maintenance of the Olive trees, for agistment purposes.
8. Until approximately four years ago, SAPOL also used the Olive Grove paddock on the eastern side of Gaol Rd for horse agistment, but ceased this practice because of the inability to adequately supervise the horses in this paddock. This led to an increased number of horses in the main Olive Grove.
9. The horses provide a valuable community policing service and people visiting Bonython Park enjoy their presence and the setting. Although the agistment constitutes an alienation of an area of the Park Lands, the community service and (limited) public interaction to some degree ameliorates the alienation. The *Adelaide Park Lands Act 2005* states that:
 - 9.1. *"The Adelaide Park Lands should be held for the public benefit of the people of South Australia, and should be generally available to them for their use and enjoyment (recognising that certain uses of the Park Lands may restrict or prevent access to particular parts of the Park Lands)"*.

Current condition of the Olive Grove trees

10. Shortly after the 2018 Lease was provided, SAPOL, without permission from CoA, sub-divided the Olive Grove into 22 small pens in order to separate the horses from each other. Internal electric fencing was also installed. This concentration of horses around particular trees, together with an increased stocking rate (through moving the horses from the paddock to the east of Gaol Rd) has led to a serious decline in the health of many of the trees, [Link 3 here](#), primarily through:
 - 10.1. Compaction of the surrounding soil by the horses (which weigh 600-700kg each) and the machinery used to manage the agistment activity, together with the lack of any ground cover and the surface soil being loose
 - 10.2. The propensity of the horses to eat the bark and cambium layer (the growing part of the trunk which transports water and nutrients) of the trees.

11. Reports provided by the CoA's Arborist, Link 4 [here](#), as well as an external consultant, Link 5 [here](#), confirm the serious decline in the health of the trees, with many exhibiting the following symptoms of decline:
 - 11.1. Branch and stem damage, including cracking
 - 11.2. Sparse foliage
 - 11.3. Structural defects and failures
 - 11.4. Low growth extension
 - 11.5. Exposure and damage of surface roots and epicormic sprouting from the base of the trees
 - 11.6. A small number of dead trees.
12. Adjacent Olive trees, outside of the agistment area, display much greater vigour and health.
13. With the current number of horses agisted being between 20 and 25, the Arborist's assessment indicates stocking densities more than 17 times the recommended level for the 2.1ha site.
14. The Olive is potentially a very long-lived, hardy tree. If the current damage can be remediated, the Olive Grove has a useful life expectancy of greater than 50 years. If the present conditions persist, the life expectancy of the affected trees is between 10 and 20 years.
15. The above referenced Arborist's reports identify the following measures necessary for remediation:
 - 15.1. An urgent reduction in the number of horses agisted on the site or ceasing the agistment of horses altogether
 - 15.2. Removal of the internal fences and pens which have led to the current intensification of use
 - 15.3. Decompaction of the soil by mechanical means
 - 15.4. Introduction of organic matter
 - 15.5. Fertilizing
 - 15.6. Application of a soil amendment to encourage the development of Mycorrhizal fungi
 - 15.7. Watering in the dry months
 - 15.8. Options to prevent compaction such as ensuring that areas are rested for extended periods
 - 15.9. Vermin control.
16. SAPOL has recently introduced special feeding bins which require the horses to spend more time extracting food, consequently allowing less time to graze on the trees. However, through observation, this measure has been deemed by the independent arborist to be largely ineffective in reducing damage to the trees.
17. It will take time to develop a comprehensive management plan to secure the future of the trees and work through its implementation with SAPOL. The management plan will likely require review and modification as it is implemented. However this will need to be undertaken as quickly as possible, be captured in the Community Land Management Plan for Bonython Park / Tulya Wardli (Park 27) and reported back to APLA and Council.
18. SAPOL argues that it is not feasible to remove the internal fencing because of the health and safety needs of the horses or, for operational requirements, reduce the number of horses on-site. While it is not possible to comment on SAPOL's operational requirements, the horses were accommodated in the Olive Grove without internal fencing for at least the last 40 years. During this time some of the horses were also agisted on the eastern side of Gaol Rd. SAPOL has however agreed to an, as yet unspecified, resting regime.

Consideration of adjacent areas for agistment purposes

19. Two adjacent sites, shown here bounded in purple, Link 1 [here](#), were suggested to SAPOL as alternative agistment sites. However SAPOL has advised that these areas are currently unsuitable because they lack shade, have compacted artificial surfaces and do not afford adequate supervision by SAPOL staff. It may be possible that these areas could be made suitable with adequate investment by the State Government.

Fencing proposal

20. Currently, the Olive Grove is fenced with a 0.9m high post and wire fence, with signs advising the public that they should not enter the area, feed or pat the horses.

21. Over recent years, SAPOL has experienced a number of incidents whereby members of the public have interfered with the horses, some resulting in physical harm to the horses.
22. As a result, SAPOL has determined that the only effective way to secure the safety of the horses is to install a 2.4m high black tubular steel fence around the northern (Park) perimeter of the site, modified to a 2.4m high black chainmesh fence along the Gaol Rd portion of the perimeter to mirror the chain mesh fence on the Gaol side of the road, as shown here Link 6 [here](#). A fence of lesser height, or more open in design, is too easy to climb over or through and would continue to present an unacceptable risk to the horses.
23. It is recommended that the fence be approved. However, to reduce the sense of alienation, this approval should be subject to the agreement of SAPOL to provide reasonable public access to the Olive Grove on an occasional basis, for instance in the form of conducted tours offered quarterly.
24. The detailed location and installation of the fence must also be to CoA satisfaction to avoid any severe pruning of, or damage to the root systems, the Olive trees.

Proposal for an arena cover

25. To facilitate all weather training of the horses on the open area adjacent to the Barracks, SAPOL is proposing the construction of a permanent cover over the western circular sand pit Link 7 [here](#). The structure is utilitarian in design, steel framed, clad with dark grey colorbond on two sides (east and west) and open to the north and south. Its dimensions are approximately 25m x 25m and 4m to 6m in height.
26. Support for this structure is recommended as it is not visible from outside of the site and supports a useful outdoor activity with community benefit.

Attachments

Nil

- END OF REPORT -

Adelaide Park Lands Management Strategy

Update on Review, August 2021



CITY OF
ADELAIDE

Adelaide Park Lands Act 2005

Section 18 states ‘there will be an Adelaide Park Lands Management Strategy’ and that –

(2) The management strategy will be prepared and maintained by the Authority.

(3) The management strategy must—

- a. in relation to each piece of land within the Adelaide Park Lands owned, occupied or under the care, control or management of the Crown, a State authority or the Adelaide City Council—
 - (i) describe the occupation, tenure and existing use of the land; and
 - (ii) provide information about the State Government's or the Council's (as the case may be) plans for the use and management of the land into the future; and
 - (iii) identify any plans or feasible options for increasing public access to the land for recreational purposes (taking into account the existing or proposed use of the land); and
 - (iv) if the land is owned, occupied or under the care, control or management of the Crown or a State authority—provide information about its suitability for use as park lands under the care, control and management of the Adelaide City Council, or through transferring the land to the Council, and, if appropriate, a program for its future use as park lands; and
- b. identify any land within the Adelaide Park Lands that is, or that is proposed to be (according to information in the possession of the Authority), subject to a lease or licence with a term exceeding 5 years (including any right of extension), other than a lease or licence that falls within any exception prescribed by the regulations for the purposes of this paragraph; and
- c. identify goals, set priorities and identify strategies with respect to the management of the Adelaide Park Lands; and
- d. include any other information or material prescribed by the regulations; and
- e. be consistent (insofar as is reasonably practicable) with any plan, policy or statement prepared by or on behalf of the State Government and identified by the regulations for the purposes of this section.

REVIEW REQUIREMENTS

- Under Section 18 (14) the Adelaide Park Lands Authority (APLA) “must undertake a comprehensive review of the management strategy at least once in every five years”
- Current Adelaide Park Lands Management Strategy (APLMS) was finalised August 2017
- Review of the APLMS must commence before August 2022.



FUNDING AND RESOURCING

- City of Adelaide has provided \$50k to APLA as its contribution towards the review of the APLMS
- Does the Board support seeking matched co-funding from the State Government (\$50k)?
- Does the Board wish to establish a sub-committee to manage the review?
- Does the Board still support the City of Adelaide (CoA) administration undertaking the review of the APLMS on its behalf?
 - Or does the Board prefer to engage and manage an independent consultant to undertake the review?

RECENT APLA ADVICE ON THE APLMS REVIEW

- Two workshops were held to discuss the review of the APLMS in August and October 2020.
- In October the Board advised:
 - No need to start again – treat as a review of existing APLMS
 - Focus on delivery plans – short and medium term
 - Opportunity for a short-form version of APLMS – for ease of use
 - Need a more complete audit of what existing APLMS has achieved
 - Opportunity to integrate a Heritage Management Plan into the APLMS – as required for the National Heritage Listing.

DRIVERS OF CHANGE

- Need a more user-friendly APLMS – while maintaining the rigour of the existing document
- Opportunity to increase ‘buy-in’ and participation of the State Government in the review process
- Significant development in Park Lands not considered / envisaged in current APLMS (e.g. Riverbank Arena, new Women’s and Children’s Hospital)
- Are the objects of the *Adelaide Park Lands Act, 2005* being met?
- Multiplicity of new proposals for the Park Lands (both State Government and community led)
- Increased use and value of the Park Lands to the community – connection with nature and wellbeing.

POTENTIAL ELEMENTS OF REVIEW

- Audit of existing APLMS actions (completed)
- Develop understanding of how the APLMS is being used and by whom
- Undertake engagement process (State Government, local government sector, community and other stakeholders)
- Review the existing policy section
- Develop key issues papers and/or research
- Develop key data and analytics (set baseline, monitor and review)
- Confirm design / format for the new APLMS.

ISSUES TO CONSIDER IN REVIEW

- What does the Board consider are the main issues facing the Adelaide Park Lands?
- What does the Board consider the review of the APLMS should address? For example:
 - Landscape objectives, diversity, cohesion, quality
 - Loss of green, open public space over time
 - A balance of uses – sport, informal recreation, gardens, biodiversity
 - Cultural and historic elements
 - Increased use
 - Any desirable enhancements – canopy cover, trails, vistas, etc
 - Process to engage with the State Government, adjacent local government areas, community and other stakeholders
 - Implementation/Action Plan.
- What is the Board's view on how these matters are progressed? For example:
 - Issues Paper(s)
 - Community Survey

PROPOSED NEXT STEPS FOR CONSIDERATION

- September 2021 – Presentation of audit of all actions in the current APLMS
- Subject to views of the Board:
 - September 2021 – Report to APLA confirming the approach for review of the APLMS informed by today’s discussion, including establishment of an APLA sub-committee to oversee the project
 - September 2021 – Seek co-funding for APLMS review from Minister for Planning
 - October 2021 – Commence engagement process through Community Forum (opportunity for initial engagement)
 - Early 2022 – Commence APLA field trips to inform review and matters for consideration
 - March/April 2022 – Commence review of existing APLMS policy
 - June 2022 – Commence preparation of key issues paper(s) and/or conduct additional research
 - June 2022 – Develop key data and analytics for incorporation into APLMS
 - December 2022 – Develop format and design for new APLMS document.

Data and Insights - Biodiversity



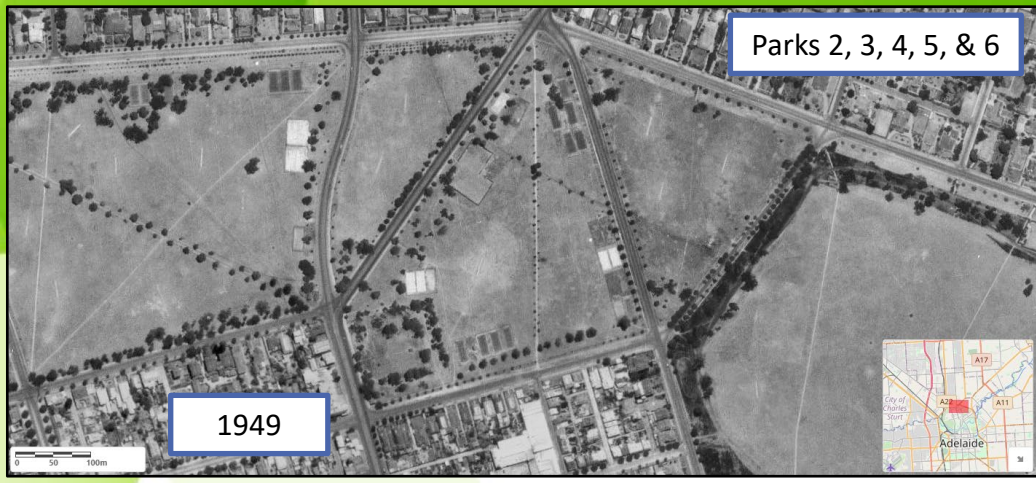
APLA Strategic Plan identifies the following data and insights:

Biodiversity monitoring

Carbon abatement and sequestration

Biodiversity Monitoring

Management



- Significant planting undertaken (1000's of plants)
- Surveyed Park Lands' biodiversity
- Maintained native biodiversity
- Identified Key Biodiversity Areas (KBA)
- Created KBA management plans
- Supported partnerships
- Created biodiversity

Biodiversity monitoring

Biodiversity Monitoring Guidelines

BIODIVERSITY MONITORING GUIDELINES

Supporting the Integrated Biodiversity Management Plan 2018–2023 and the
Biodiversity Monitoring Plan

November 2019

Key Biodiversity Areas (KBAs) have been created to protect our areas of remnant and revegetation.

The KBAs represent the four distinct vegetation communities that persist in the Park Lands:

- I. Grey Box / SA Blue Gum Woodland
- II. SA Blue Gum / River Red Gum
- III. River Red Gum Woodland
- IV. Mallee Box Woodland (A – west and B - north).

CoA focuses on biodiversity monitoring within the KBAs and extend to areas of remnant vegetation.

CoA Biodiversity Monitoring Program guidelines provide clear instructions to monitor our biodiversity using recognised ecological survey methods.

Flora monitoring



The CoA Biodiversity Monitoring Program monitors vegetation within the KBAs – we aim to have our first complete dataset by December 2021.

Our data is supported by citizen science type programs and volunteer groups active in the Park Lands. These include:

- Trees for Life (Bush for Life) – across four sites
- Wirrarninthi Bushland Volunteer Group.

Areas in **red** show the extent of the 2018 flora survey - 672,667 m².

In partnership with the University of Adelaide, we have begun testing the potential of aerial (drone based) monitoring of native vegetation.

Aerial vegetation monitoring



Left: A Protected Conservation Zone (KBA 1) and Bush for Life volunteer site within Carriageway Park / Tuthangga (Park 17) – Nov 2020

Right: Crew from the Unmanned Research Aircraft Facility calibrating a drone prior to aerial survey

Fauna monitoring

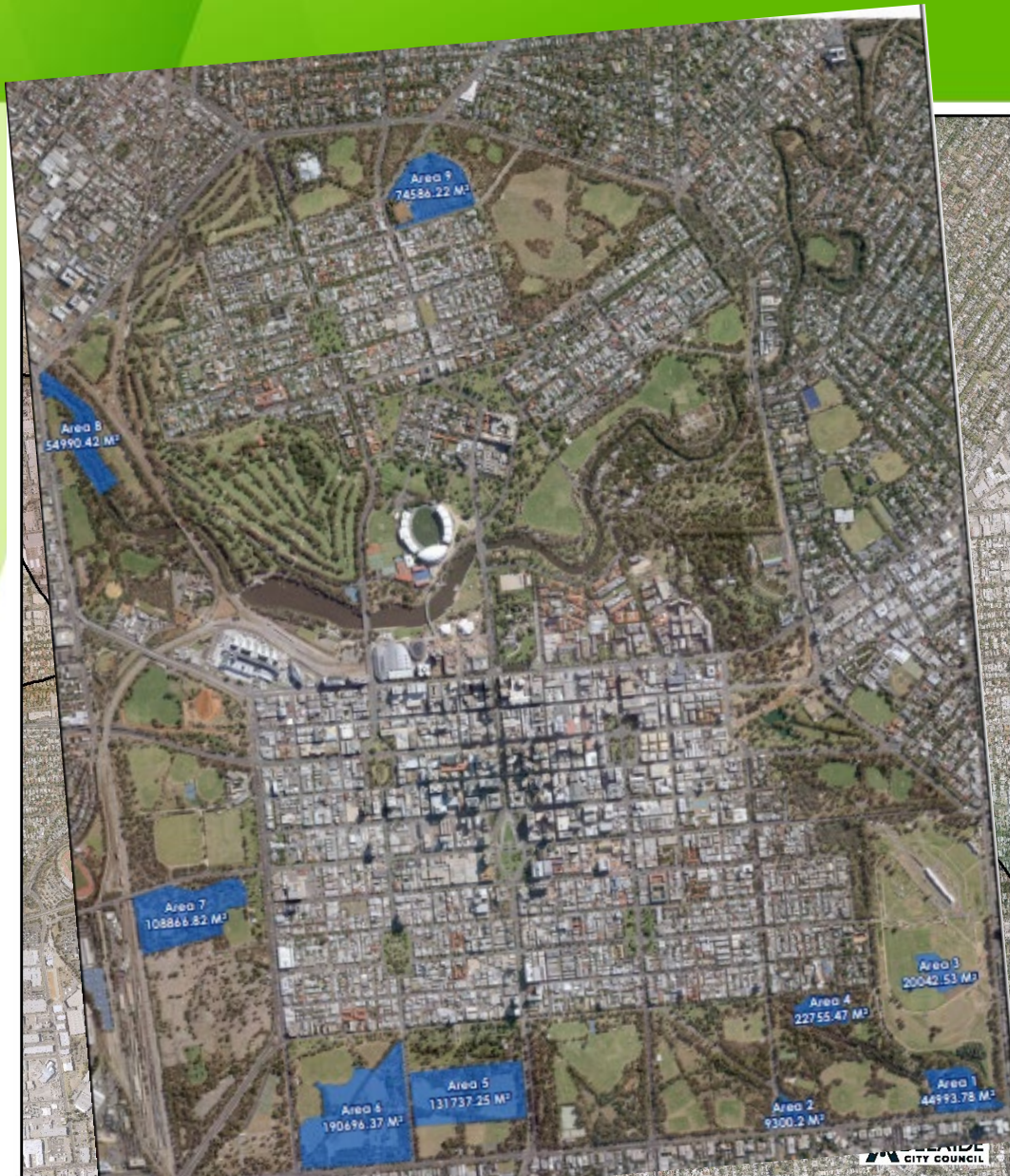
Fauna is generally more transient than flora and requires a different approach.

Our data is supported by citizen science type programs and volunteer groups active in the Park Lands. These include:

- Butterfly Conservation SA
- Birdlife Australia – Birds in Backyards.

Areas in **blue** show the extent of the 2018 fauna survey - 657,969 m².

The report from this survey can be found in Link 1 [here](#) .



Fauna monitoring

Two new species for SA were recorded in the 2018 survey. This highlights the potential for more species to be discovered.



New species record for SA

Tortoise Beetle (*Paropsisterna cornuta*) found on eucalypt leaf in (Park 23).



Most western record in South Australia and is a new river system for this species in SA

The Gold-fronted River Damsel (*Pseudagrion aureofrons*) observed in Park 27.

Fauna monitoring

Some species with conservation concern that have been recorded during monitoring are:



Classified as 'vulnerable' in AMLR

Eastern Water Skink (*E. quoyii*) which is a very large skink, only found along the Murray River system and the smaller river catchments in Adelaide. Observed at the edges of water in Park 23 and Park 27.



Considered as 'rare' in AMLR

Chequered copper butterfly (*Lucia limbaria*), which was rediscovered in the south-eastern Park Lands in the early 2000s by a local resident and friend of the Adelaide Park Lands.

Karrawirra Pari and the Torrens Lake

The proposed *Karrawirra Pari Urban Wetland and Nature Space Project* aims to incorporate in-line wetlands in Torrens Lake

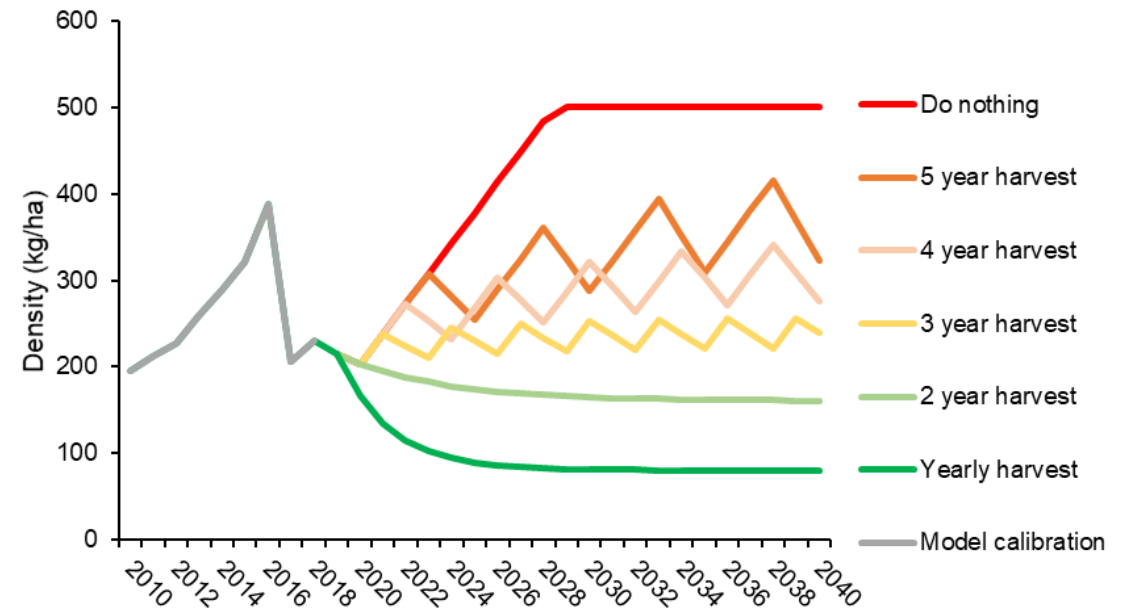
Recent assessments undertaken to investigate options to improve water quality and reduce the occurrence of blue-green algae outbreaks include:

- **Torrens Lake Watercourse Rehabilitation Assessment - Concept Design Report**
Water Technology Pty Ltd – May 2019 – the recommendation was to establish up to six in-line wetlands and associated elements.
- **Baseline Littoral Zone Vegetation Mapping and Assessment of the Torrens Lake/Karrawirra Pari**
Nature Glenelg Trust – June 2020 – found in Link 2 [here](#) (aim was to understand current ecological communities, stresses and drivers for change).

Karrawirra Pari and the Torrens Lake - carp

CoA has delivered projects to reduce carp numbers in Torrens Lake since 2011

- A total of 1,861 carp (6.3 tonnes) have been removed as part of e-fishing projects in 2011, 2016, 2017 and 2019
- Annual harvests indicate that carp populations are shrinking faster than they are being replenished
- A population survey done in 2019 allowed for greater confidence in population estimates and management actions
- Annual harvesting should result in a steady reduction in carp density to $<100 \text{ kg ha}^{-1}$ by 2024
- The 2019 Torrens Lake Carp Harvest - Summary report can be found [here](#)
- In 2021, 621 carp (1,951 kg) were removed (project in progress).



Carp population model output showing the results of various harvesting strategies with an annual population replenishment rate of ~ 178 carp and a harvest removal rate of 36% of the population – SARDI 2019

Carp harvest (e-fishing)



Crew from SARDI during the 2021 Torrens Lake Carp and Invasive Fish Eradication Program in Torrens Lake.

Crew used the highly effective method of electronic fishing (e-fishing) to stun and remove unwanted fish species (mostly carp) while other species swam away unharmed – Feb 2021.

Demonstration Biodiverse Carbon Offset Plantings

Carbon abatement and sequestration

There are currently two biodiverse carbon offset planting sites: Adelaide High School and Reservoir Park / Kangatilla (Park 4)

Adelaide High School site was planted in November 2017

- Native vegetation carbon offset planting demonstration site with interpretive signage
- At least 500 plants across 12 Mallee Box Woodland species on ~**11,000 m²** (including infill planting)
- Estimated to remove and store more than 50 tonnes of carbon dioxide equivalent (CO_{2e}) over thirty years
- Partnership between Adelaide High School, Greening Australia, Trees for Life, and the City of Adelaide.

Park 4 site was planted in 2021

- Biodiverse carbon offset planting demonstration site using principles from Biodiversity Sensitive Urban Design
- 575 plants across 22 Mallee Box Woodland species on ~3,000 m² with interpretive signage
- Estimated to remove and store more than 70 tonnes CO_{2e} over thirty years
- Co-funded with Green Adelaide grant money for Biodiversity Sensitive Urban Design.

Both sites were designed to **demonstrate** carbon offset plantings to the public. Neither site was intended for carbon abatement or to record, monitor or report on sequestered carbon.

Adelaide High School site



Carbon Offset Demonstration site at Adelaide High School – Jan 2009 and 2021

A combination of revegetation and infill planting (amongst established trees) was done across ~11,000 m²



37



Reservoir Park / Kangatilla (Park 4): Site of the Biodiverse Carbon Offset Planting Demonstration Site.

Left: Concept plan of the project showing the extent and type of vegetation with a path and signage.

Top: the site prior to planting.



Park 4 Biodiverse demonstration carbon offset planting site



The site after completion showing Park Lands Trail, two interpretive signs, interpretive trail, and newly planted vegetation from Mallee Box Woodland ecological community.



Proposed State Government projects in the Adelaide Park Lands (Riverbank Precinct)

ITEM 9.1 26/08/2021
Board Meeting

Author:

Lara Daddow, Acting Associate Director, Park Lands, Policy & Sustainability 8203 7687

2021/01631

Public

Purpose

To provide background information and an overview of proposed State Government projects in the Adelaide Park Lands (Riverbank Precinct) to enable APLA to consider its position and potential advice to Council and the State Government.

This report covers the following proposals:

- The Women's and Children's Hospital and associated transit hub / car park
 - Riverbank Arena
 - The Riverbank Precinct Code Amendment.
-

Recommendation

That the Adelaide Park Lands Authority:

1. Receives the report.
 2. Considers the information provided to inform future advice to Council and the State Government on the proposed projects.
-

Implications

<p>Adelaide Park Lands Management Strategy 2015-2025</p>	<p>Adelaide Park Lands Management Strategy 2015-2025</p> <p>The current APLMS does not contemplate:</p> <ul style="list-style-type: none"> • A large indoor Riverbank Arena in Helen Mayo Park (Park 27) <ul style="list-style-type: none"> ○ Strategy 1.4 only supports buildings in the Park Lands where they provide for outdoor recreation. • A multi-storey car park in Kate Cocks Park (Park 27) <ul style="list-style-type: none"> ○ Strategy 2.8 only contemplates parking on the Park Lands for Park Lands related recreational purposes, which is to be reduced by 5% in the period to 2025. • A second hospital at the western end of the Royal Adelaide Hospital site, which the hospital's Master Plan reserves as open space to strengthen the continuity of Adelaide's Park Lands (Kate Cocks Park (Park 27)).
<p>APLA 2020-2025 Strategic Plan</p>	<p>Adelaide Park Lands Authority 2020-2025 Strategic Plan Strategic Plan Alignment - Advice</p>
<p>Policy</p>	<p>National Heritage Listing</p> <p>Each of the proposals will require a referral by the State Government to the Federal Government (Department of Agriculture, Water and the Environment) for assessment against the Values which underpin the National Heritage Listing of the Adelaide Park Lands and City Layout.</p>
<p>Consultation</p>	<p>Not as a result of this report</p>
<p>Resource</p>	<p>Not as a result of this report</p>
<p>Risk / Legal / Legislative</p>	<p>To enable APLA to fulfill its statutory function to provide advice to the Council and State Government on policy, development, heritage or management issues affecting the Adelaide Park Lands.</p>
<p>Opportunities</p>	<p>To enable early input into the proposals</p>
<p>City of Adelaide Budget Allocation</p>	<p>Not as a result of this report</p>
<p>Life of Project, Service, Initiative or (Expectancy of) Asset</p>	<p>Not as a result of this report</p>
<p>Ongoing Costs (eg maintenance cost)</p>	<p>Not as a result of this report</p>
<p>Other Funding Sources</p>	<p>Not as a result of this report</p>

Discussion

The Proposed Projects

1. The State Government is proposing the following projects in that section of the Adelaide Park Lands known as the Riverbank Precinct, Link 1 [here](#) – Relevant Mapping, which together would occupy at least 6.5ha of open space:
 - 1.1. The new Women’s and Children’s Hospital (<https://www.wch.sa.gov.au/news/nwch-master-plan-released>) comprising:
 - 1.1.1. The new hospital facility on the open space at the western end of the existing Royal Adelaide Hospital site, which would occupy at least 1.5ha of State Government managed Park Lands.
 - 1.1.2. An associated ‘transit hub’ including multi-storey car park and access roads on the Park Lands known as Kate Cocks Park (Park 27) between the Adelaide Gaol and Police Barracks, which would occupy at least 2.0ha of City of Adelaide (CoA) managed Park Lands. The exact boundaries are not known at this time.
 - 1.2. The Riverbank Arena (<https://www.avmc.com.au/arena/>) proposed on Helen Mayo Park (Park 27), west of the Morphett Street Bridge, which would occupy at least 3.0ha of mostly CoA managed Park Lands (a small car park in the south-eastern corner of the site is State Government managed land as are two parcels of land used for rowing clubs).
2. A proposal to make changes to the Planning and Design Code for this area has also been initiated by the State Government.
3. Link 1 [here](#) – Relevant Mapping provides a series of maps to aid APLA’s consideration including the Adelaide Park Lands Plan, National Heritage Listing boundaries, existing Planning and Design Code boundaries and location of State Heritage Places in the area.
4. The [Adelaide Park Lands Community Land Register \(arcgis.com\)](#) provides information on land tenure, Community Land Management Plans, licenses and leases.
5. Further background on each site is provided below:

Women’s and Children’s Hospital

6. The site for the proposed Women’s and Children’s Hospital is open space at the western end of the Royal Adelaide Hospital site, currently landscaped as a park setting and partly used for stormwater detention associated with the hospital.
7. The stormwater detention facility is currently being relocated to the (State managed) triangle of land between the rail lines to the north (Reference LINK 1 – Relevant Mapping).
8. The Port Road frontage of the entire hospital site is Park Lands under the custody of the CoA and leased to SA Health for a period of 42 years (commencing 1 January 2016). The lease includes a permitted use condition that the land be used as “integrated public open space”, in keeping with its Park Lands status. (Reference Link 1 [here](#) – Relevant Mapping)
9. In 2012, the State Government prepared a Management Plan for what was then referred to as the new Royal Adelaide Hospital, ‘nRAH’ site in which it stated, in regard to the “Future use of the land”:
 - 9.1. *The site is being developed by SA Health as a health precinct*
 - 9.2. *Any Future developments will be subject to relevant planning authorities and must provide a health function*
 - 9.3. *A large (approximately 3 hectares) open space environment on the western side of the site will create a visual and physical link to the River Torrens and Park Lands (this is shown on site plans)*
 - 9.4. *Car parking has been designed to be predominately at lower levels and not visible, so as not to detract from the Park Land character*
 - 9.5. *The development of the new Hospital will result in significant areas of land being reverted back from rail yards to park lands, strengthening the continuity of Adelaide’s Park Lands.*
10. The Women’s and Children’s Hospital transit hub is proposed for an area of the Adelaide Park Lands under the custody of the CoA. The land is known as Kate Cocks Park (Park 27) and sits between and around the Adelaide Gaol and the Police Barracks. The land is currently degraded and has in part been used over the last few years for car parking and as a works compound. (Reference Link 1 [here](#) – Relevant Mapping)

11. Importantly, the multi-storey car park would sit between two State Heritage sites, the Gaol and Police Barracks and, as such, the visual and built-form impact of the car park structure on these two sites needs to be considered. The multi-storey car park will likely be taller and larger in footprint than the adjacent heritage places.
12. Kate Cocks Park (Park 27), together with Bonython Park (Park 27), the Gaol, Barracks and Olive Groves form an important historic Park Lands precinct. The site is important in the very early development of Adelaide.
13. Colonel Light's Survey Camp was established on the Park Lands opposite what became the Newmarket Hotel (that Survey Camp site is now part of the Royal Adelaide Hospital site).
14. On land closer to the river, now part of Bonython Park (Park 27) (west of the Adelaide Gaol), the early white settlers set up two camp sites, Coromandel and Buffalo Rows (named after two of the first ships which arrived in the colony) while the city was being laid out.
15. Subsequently, the first 'Protector of Aborigines' established the first 'settlement' site for Kurna (known as Bromley's Camp) in what is now Bonython Park (Park 27). What became known as the "Native Location" was later moved to the northern side of the River Torrens / Karrawirra Pari to what is now known as the Pirltawardli site.
16. In later years the area was used for sheep and cattle markets and an associated slaughterhouse. The Adelaide Gaol was built in 1841 and the Police Barracks in 1917.
17. The story of this historic Park Lands precinct deserves to be interpreted and told and the associated landscapes vastly improved. It has the potential to be developed in the manner similar to that which the Port Arthur site in Tasmania has been.
18. APLMS identifies key moves for the Bonython Park Precinct, including
 - 18.1. Key Move 17: Enhancing the Old Adelaide Gaol through appropriate, cultural adaptive re-use, to create an appealing, iconic destination. Remove horse paddocks on eastern side of Gaol Road and provide a new landscaped setting with improved access from Port Road and the riverbank and improve connections with the park, and
 - 18.2. Key Move 18: Connect the Gaol to the Riverbank Precinct with a shared path via underpasses or at-grade crossings through an open, well-lit Formal Park. Investigate opportunities for park activation, public art and the adaptive re-use and interpretation of the WYE Signal Station.
19. If the State Government wishes to build a 'transit hub' (multi-storey car park) on Kate Cocks Park (Park 27), which is Park Land held in custody by the CoA, then in accordance with the *Adelaide Park Lands Act 2005* (APL) the State will need to either seek:
 - 19.1. The transfer of the land to the State Government, which requires Council consent.
 - 19.2. To exclude the land from the Park Lands which requires approval from both Houses of Parliament.
 - 19.3. A 42-year lease from CoA, or;
 - 19.4. Specific legislation to require a longer-term lease (as per the example of the *Adelaide Oval Redevelopment and Management Act 2011*).

Riverbank Arena

20. This site is west of Morphett Street bridge, located between the railway line and the River Torrens and contains:
 - 20.1. A car park which is designated 'Adelaide Park Lands' and managed by the State Government.
 - 20.2. A former railyards site, designated Park Lands under Care and Control of CoA and named Helen Mayo Park (Park 27).
 - 20.3. Two Rowing Clubs - Pulteney School (to the east) and Riverside (to the west) on State managed Park Lands. (Reference LINK 1 – Relevant Mapping)
21. For Helen Mayo Park (Park 27), the APLMS recommends:
 - 21.1. The development of a skate park on this site (now superseded through the development of a skate park in Gladys Elphick Park/Narunngga (Park 25).
 - 21.2. A wide 'Central Path' running east-west.
 - 21.3. A path connecting the RAH to the river.

22. While required under Section 20 of the *Adelaide Park Lands Act 2005*, the State Government has not submitted management plans for the rowing club and car park sites to APLA for its advice.
23. Helen Mayo Park (Park 27) is largely a former rail yards site that was used for various purposes associated with rail operations from approximately 1878.
24. The site was decommissioned in 1990-92 and discussions occurred between the then State Transport Authority and the CoA regarding the State Government's wish to transfer the land to the Council.
25. No agreement was able to be reached because the site was highly contaminated, and Council did not want to take on its management without it being remediated. In 1994 however the land was transferred to the CoA by State Government without its consent.
26. Subsequently, the land was the subject of contamination assessments and remediation options for many years. In 1997 to 1998 the land was used for the storage and de-watering of material dredged for the Torrens Lake.
27. During the redevelopment of the Adelaide Oval site in 2012, soil removed to create the car park under Adelaide Oval was used to cap the Helen Mayo Park site, using a membrane to contain the contaminated material. The intention at the time was to use the site as an over-flow car park for Adelaide Oval. However, this need never eventuated.
28. If the State Government intends to use the car park and rowing club sites for the sports arena, then under the APL Act it would need to submit a 'Section 23 (Change in Intended Use) report (within 18 months of no longer requiring the land for their current purposes). Such a report is submitted to CoA and both Houses of Parliament.
29. There are also the long-term leases to the Pulteney and Riverside Rowing Clubs to consider.
30. If the State Government wishes to build the Arena on Helen Mayo Park (Park 27), Park Land held in custody by the CoA, then under the APL the State will need to either seek:
 - 30.1. The transfer of the land to the State Government, which requires Council consent.
 - 30.2. To exclude the land from the Park Lands which requires approval from both Houses of Parliament.
 - 30.3. A 42-year lease from CoA.
 - 30.4. Specific legislation to require a longer-term lease (as per the example of the Adelaide Oval Redevelopment and Management Act 2011).

Legislative Considerations

31. The *Adelaide Park Lands Act 2005* (APL Act) was established as a legislative framework to promote 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.
32. The APL Act contains several applicable provisions that relate to the proposals, the new WCH hospital, the associated Transit Hub and the Riverbank Arena.
33. Section 4 of the APL Act contains seven statutory principles which a person or body responsible for the care, control, and management of any part of the Adelaide Park Lands must have regard to and seek to apply. Of particular relevance here are:
 - 33.1. *The land comprising the Adelaide Park Lands should, as far as is reasonably appropriate, correspond to the general intentions of Colonel William Light in establishing the first Plan of Adelaide in 1837.*
 - 33.2. *The Adelaide Park Lands should be held for the public benefit of the people of South Australia and should be generally available to them for their use and enjoyment (recognising that certain uses of the Park Lands may restrict or prevent access to particular parts of the Park Lands).*
 - 33.3. *The Adelaide Park Lands reflect and support a diverse range of environmental, cultural, recreational and social values and activities that should be protected and enhanced.*
 - 33.4. *The Adelaide Park Lands provide a defining feature to the City of Adelaide and contribute to the economic and social well-being of the City in a manner that should be recognised and enhanced.*
 - 33.5. *The contribution that the Adelaide Park Lands make to the natural heritage of the Adelaide Plains should be recognised, and consideration given to the extent to which initiatives involving the Park Lands can improve the biodiversity and sustainability of the Adelaide Plains.*

- 33.6. *The State Government, State agencies and authorities, and the Adelaide City Council, should actively seek to co-operate and collaborate with each other in order to protect and enhance the Adelaide Park Lands.*
- 33.7. *The interests of the South Australian community in ensuring the preservation of the Adelaide Park Lands are to be recognised, and activities that may affect the Park Lands should be consistent with maintaining or enhancing the environmental, cultural, recreational and social heritage status of the Park Lands for the benefit of the State.*
34. Section 14 of the APL Act deals with the definition of the Adelaide Park Lands through the Adelaide Park Lands Plan. This section defines what is / is not Park Lands and who has custody of each part. Sub-section 5 deals with variations to the care, control and management of the Park Lands and when land ceases to be included as part of the Park Lands.
35. Section 18 requires the creation and maintenance of the Adelaide Park Lands Management Strategy (APLMS) which describes the plans of Council and the State Government for the use and management of all land parcels in the Adelaide Park Lands. The current APLMS, finalised in August 2017 and due for review in August 2022 does not envisage the new WCH, a multi-storey car park or a large sporting stadium on the Park Lands.
36. Section 20 requires the preparation of Management Plans for State Government managed areas of the Park Lands.
37. Section 21 provides for leases and licences granted by Council, should the State Government be seeking such arrangements, and includes a maximum term of 42 years for such leases.
38. Section 23 deals with changes in intended use by the State Government of areas of the Park Lands it has responsibility for (i.e. it does not apply to CoA managed land). This section is intended to facilitate / consider the return of State Government land no longer required for its current purpose to CoA care and control as publicly accessible Park Lands. This section would apply to the re-use of the car park adjacent Helen Mayo Park (Park 27) which would form part of the Riverbank Arena site, as well as the two rowing club sites within Helen Mayo Park (Park 27).
39. The Adelaide Park Lands and City Layout is listed on the National Heritage Register. The boundaries of the listing as shown in (Reference Link 1 [here](#) – Relevant Mapping).
40. The following parts of the projects are located within the area of the National Heritage Listing:
- 40.1. Parts of the Riverbank Arena, excluding the existing car parking area.
- 40.2. Transit hub and associated access roads for the WCH, west of the rail corridor.
41. The following parts of the projects are not located within the area of the National Heritage Listing:
- 41.1. WCH east of the rail corridor.
- 41.2. Part of the Riverbank Area located on the existing car parking.
42. Development on adjacent sites to land within the area of the National Heritage Listing, can still impact on the values of a National Heritage Listed site itself, for instance if the development impeded views into or of the Nationally Heritage Listed site.
43. Together, or individually, these projects could constitute actions under the *Environmental Protection and Biodiversity and Conservation Act 1999* (EPBC Act) which impact the National Heritage Listing Values for the Adelaide Park Lands and City Layout.
44. Any construction on either Helen Mayo Park (Park 27), Kate Cocks Park (Park 27) (adjacent Bonython Park (Park 27) and west of the rail lines) or on the open space at the western end of the Royal Adelaide Hospital site could be seen as actions which contribute to the cumulative erosion of Park Lands or possibly impact views/vistas across and into the Park Lands.
45. The Federal Government (Department of Agriculture, Water and the Environment) has previously expressed concern about such cumulative erosions of the Adelaide Park Lands and these projects may constitute what is termed a 'controlled action' under the EPBC Act.
46. The State Government (as proponents) will need to refer these projects to the Federal Government.
47. Section 199 of the *Local Government Act 1999* states that a Council must manage community land in accordance with its Community Land Management Plan.

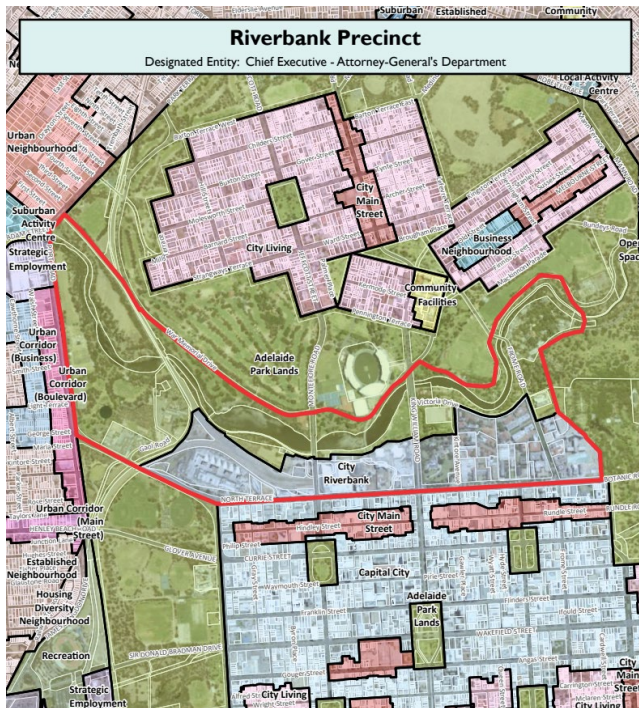
48. The City of Adelaide's Community Land Management Plan (CLMP) for Park 27 which applies to both the transit hub / car park site in Kate Cocks Park and the Riverbank Arena site in Helen Mayo Park does not contemplate any change in use for either site. In general, the CLMP states:
- "Maintain a vibrant area that provides a diverse and accessible range of recreation opportunities, catering to a range of users within a structured landscape setting dominated by the River Torrens."*
49. For the area around the Gaol, the CLMP states:
- "Support the creation of an integrated heritage and cultural hub around the Old Adelaide Gaol, Olive Groves and riverfront through the interpretation of history and heritage through landscapes, artwork and information".*
50. The proposed State Government projects will also need to consider interaction with State heritage and Aboriginal heritage in accordance with the *Heritage Places Act 1993* and *Aboriginal Heritage Act 1988*.

Planning and Design Code – Riverbank Precinct Code Amendment

51. The Minister for Planning and Local Government approved the "Proposal to Initiate the Riverbank Precinct Code Amendment" on 16 July 2021. The initiation documents are located on the Code Amendments page of the Planning Portal https://plan.sa.gov.au/have_your_say/general_consultations
52. The Amendment is proposed to *"review planning policy applying Outline to the Riverbank Precinct in the Affected Area to ensure the Planning and Design Code suitably aligns with future strategic land use and built form outcomes. This includes the need to rezone land to support the development of the new Women's and Children's Hospital, as well as the proposed Riverbank Arena and Biomedical facility."*
53. The Amendment identifies that the Code Amendment is anticipated to propose, subject to investigations:
- 53.1. Rezone land in the affected area to respond to strategic land use investigations and a review of existing established land uses.
 - 53.2. Rezone land west of the City Riverbank Zone Health Subzone, including the Thebarton Police Barracks and old Adelaide Gaol, to accommodate health and biomedical related facilities and services.
 - 53.3. Rezone land north-east of the Royal Adelaide Hospital to accommodate entertainment land uses.
 - 53.4. Consider policy refinement to better reflect pedestrian connectivity through / into the precincts (including from land adjacent to the affected area), particularly in relation to the new Women's and Children's Hospital and Riverbank Arena.
 - 53.5. Review policy to ensure that the built form interface of the Entertainment Precinct with the Park Lands achieves a high amenity and that the North Terrace public realm is of high quality.
 - 53.6. Refine built form policy in the area in front of the Intercontinental Hotel down to North Terrace to facilitate low scale development.
 - 53.7. Review the City Riverbank Zone's Innovation Subzone to ensure it achieves the land use and built form outcomes in the Lot Fourteen Master Plan.
 - 53.8. Review policy in the City Riverbank Zone and Adelaide Park Lands Zone within the Affected Area to make any consequential changes or refinements.

54. The spatial extent of the Code Amendment is the land delineated by the red line in Figure 1 below which extends from Port Road to the eastern boundary of the Adelaide Zoo and extends both north and south of the River Torrens:

Figure 1 – Spatial Extent of Riverbank Precinct Code Amendment



55. The State Planning Commission has indicated the Riverbank Precinct Code Amendment is tentatively scheduled for completion and approval by the end of November 2021.
56. The Lord Mayor has written to Attorney-General/Minister for Planning seeking additional investigations and early collaboration with City of Adelaide.

Attachments

Nil

- END OF REPORT -