

CITY OF ADELAIDE DRAFT COMMUNITY LAND MANAGEMENT PLAN FOR PARK LANDS

Consultation Summary Report

9 August 2023

ACKNOWLEDGEMENT OF COUNTRY

The City of Adelaide acknowledges that we are located on the traditional Country of the Kaurna people of the Adelaide Plains and pays respect to Elders past, present and emerging.

We recognise and respect their cultural heritage, beliefs and relationship with the land. We also extend that respect to visitors of other Aboriginal Language Groups and other First Nations.

DOCUMENT PROPERTIES

Contact for enquiries and proposed changes

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Executive Summary

This report summarises the submissions and findings from consultation on the City of Adelaide's (Council) Draft Community Land Management Plan (CLMP) for the Adelaide Park Lands (Park Lands).

Consultation on the Draft CLMP commenced on **7 July 2023** and concluded on **31 July 2023**.

This report outlines the engagement process Council undertook to consult with stakeholders and the community and to meet statutory consultation requirements under the *Local Government Act 1999* (LG Act) and *Adelaide Park Lands Act 2005* (APL Act).

The consultation findings have outlined general support from the State and Local Government stakeholders for the Draft CLMP for the Park Lands with minor refinements suggested.

The feedback from the community outlined a strong desire for the Park Lands to be publicly accessible, with less built form and development and an increase of open spaces focused on the natural environment and biodiversity.

Community feedback also outlined that commercialisation, privatisation and use of the Park Lands for major development should be stopped.

Community feedback noted Council has changed its approach to the Draft CLMP – as the existing CLMP's contain information that exceeds the requirements of the LG Act and APL Act. Council has responded to these concerns in Appendix A with refinements also being proposed to address improvements.

Feedback has assisted Council in the development of the Draft CLMP and provided Council with insights into how stakeholders believe the Park Lands should be used and managed.

Background

Under the LG Act, the City of Adelaide's, "community land" is all local government land (except roads) that is under the care, control and management of Council, including the Park Lands.

Council is required under Section 196 of the LG Act and Section 19 of the APL Act to prepare and adopt a management plan for its community land, the Park Lands.

CLMP's are plans created by Council, in consultation with other land managers and the community, to provide guidance and direction with respect to the care, management and use of the Park Lands for the enjoyment and benefit of residents and visitors to the City of Adelaide.

The CLMP is not an aspirational strategy that plans for the future, this is the role of the Adelaide Park Lands Management Strategy.

Council's existing CLMPs were predominantly adopted in 2013 and consisted of individual chapters for each park within the Park Lands. As part of the Council's statutory requirements of reviewing its CLMP's, Council has made the decision to consolidate its CLMP's into a single CLMP.

Consultation Objectives

The LG Act and the APL Act outline the statutory requirements of the CLMP including the consultation requirements.

Local Government Act 1999

Section 197 of the LG Act requires Councils to undertake the following before adopting a management plan for community land, it must—

- (a) make copies of the proposed plan available for inspection or purchase at the council's principal office; and
- (b) follow the relevant steps set out in its public consultation policy.

Adelaide Park Lands Act 2005

Section 19 of the APL Act outlines the statutory requirements of the CLMP including the consultation requirements. The Council must, before it releases its proposed management plan, or a proposed amendment to its management plan, for public consultation consult on a draft of its proposal with—

- (a) the Minister for Planning; and
- (b) the Authority (Kadaltilla / Adelaide Park Lands Authority); and
- (c) any State authority or adjoining council that has a direct interest in the matter.

City of Adelaide Consultation Policy

Council must also follow the steps outlined in its Community Consultation Policy. The policy requires Council to;

- Provide public notice of the options for consideration.
- Provide information on Council's corporate website.
- Ensure that any documents that are legislatively required to be freely available for inspection are on public display and print versions are available to purchase for a fixed fee in the customer centre; and freely available for view and/or purchase for a fixed fee in the City's libraries and community centres as required.
- Notice published in a local newspaper circulating in the Council.
- Provide a minimum of 21 days for people to make submissions to Council (unless stated).
- Receipt of submissions by Council.
- Submissions to be considered by Council in decision-making.
- Inform public of outcome.

Engagement Approach

To ensure stakeholders and the community were informed about Council's consultation on the CLMP and that the process was transparent, accessible and targeted, a range of communication tools and techniques were used to promote the Draft CLMP and seek feedback.

The engagement methods used are outlined below.

Consultation with Kurna Yerta Aboriginal Corporation

As the traditional owners of the Adelaide Plains, Council's consults with Kurna Yerta Aboriginal Corporation (KYAC) in relation to the use and management of the Park Lands.

Administration met with KYAC on 28 June 2023 and reviewed:

- The purpose of Community Land Management Plans and their legislative requirements
- The content of the draft CLMP
- The relationship with other Council strategic documents including Adelaide Park Lands Management Strategy and Reconciliation Action Plan
- Specific review of sections of the CLMP referring to cultural significance and cultural practices
 - 4.3: Kurna cultural significance (p4)
 - 4.4: Cultural heritage significance (p4)
 - 8.4.3: Aboriginal cultural uses (p9)

KYAC supported consultation on the Draft CLMP and requested a further workshop with additional Board Members to improve the content listed above and ensure Native Title Determination descriptions are replicated for clarity.

Correspondence was sent to South Australian Native Title Services on 10 July 2023 inviting KYAC to a workshop on the Draft CLMP.

Workshopping of the content is subject to availability of KYAC Board Members and changes to the above listed sections, if required, are expected to be incorporated into the CLMP under CEO delegation.

Stakeholder Consultation

Consultation on the Draft CLMP was undertaken in two parts and has been undertaken in accordance with the LG Act and APL Act;

Part 1 - State Agencies and Local Government

Administration sought endorsement of the Draft CLMP from Kadaltilla / Adelaide Park Lands Authority and the Minister for Planning prior to the Draft CLMP being released for community consultation.

Council wrote to the following stakeholders seeking feedback and advising of the Council's intention to undertake community consultation on its Draft CLMP.

- Kadaltilla / Adelaide Park Lands Authority
- The Hon, Nick Champion, Minister for Planning
- State Government authorities
- Adjoining Councils.

Consultation closed 31 July 2023.

Part 2 - Community Consultation

Community consultation on the Draft CLMP was undertaken from 7 July to 31 July 2023 through the following engagement approach;

- South Australian Government Gazette – Thursday 6 July 2023
- Public Notice in the Advertiser Newspaper - Thursday 6 July 2023

- Your Say public consultation page - 7 July 2023 to 31 July 2023
 - A consultation package was made available through YourSay which included;
 - Explanatory information
 - Frequently Asked Questions
 - Link to relevant legislation
 - Link to current CLMP documents
 - Draft CLMP
 - Link to other related projects including the Adelaide Aquatic Centre Redevelopment: Construction Licence and Lease Agreement (Denise Norton Park / Pardipardinyilla (Park 2))
 - Administration contact details for further information
 - Submission form
 - Multiple options to provide feedback.
- Hard copies of the Draft CLMP were available at a number Council's Administration buildings
- Email notification to targeted community groups
- Notification of consultation posted on Council's social media platforms and website.

Who We Heard From

Part 1 – Kurna Representatives/State Agencies/Local Government

- Kurna Yerta Aboriginal Corporation (KYAC) Board Members
- Nick Champion MP Minister for Planning
- Kadaltilla / Adelaide Park Lands Authority

2 Adjoining Councils

- City of Prospect
- City of Charles Sturt

5 State Agencies / Authority

- Department for Infrastructure and Transport
- Department for Environment and Water
- SA Water
- University of Adelaide
- Central Adelaide Local Health Network

Part 2 - Community Consultation

YourSay Summary

- **404 'Aware' visitors:** these are unique website visitors, which could be individuals or individuals visiting on behalf of organisations, totalling 508 visits to the Your Say Adelaide page (which means some visitors visited the page more than once).
- **223 'Informed' visitors:** these are website visitors that explored the available consultation materials more closely by browsing through the consultation information available

- **199 Draft CLMP document downloads:** via the YourSay page.
- **10 ‘Engaged’ visitors:** people who submitted feedback through the online form.

Community submissions outside of YourSay

- **5 submissions:** were received outside of the YourSay feedback form as email correspondence which included attached submissions.
- **1 late submission:** was received on the 6 August 2023 from an individual community member who had already made a submission on 31 July 2023. This late submission has been included in Appendix B.

What We Heard

Feedback on the consolidated Draft CLMP has been received from KYAC, Kadaltilla / Adelaide Park Lands Authority, State and adjoining Councils and the community.

Stakeholder feedback has been summarised in Appendix A.

Part 1 - State Agencies and Local Government

In general, the feedback provided from the State Agencies and adjoining Councils provided support for the Draft CLMP. Stakeholders suggested refinements regarding the Draft CLMP content and the ongoing management of the Park Lands and how they believe the land should be managed into the future.

Feedback broadly focused on the Park Lands responding to State Government developments, including the new Adelaide Aquatic Centre and the need for cultural and heritage values to be continually recognised, maintained and enhanced in the Park Lands.

The theme of enhancement and protection was also highlighted in feedback from adjacent councils who value the Park Lands for their residents from an environmental, sport and recreation perspective.

Key Points from Responses

- General support for the Draft CLMP from State Government and adjoining Councils.
- Local and State Heritages places should be identified in mapping and in text.
- Stronger wording requested regarding the ‘enhancement and protection’ of the environment and biodiversity areas in the Park Lands.

Part 2 - Community Consultation

Feedback from the community provided a strong response that the Park Lands should be protected and enhanced for the benefit of the communities that it serves and that the Draft CLMP does not provide adequate protection against future or proposed major developments (noting development is assessed against the South Australia Government’s state-wide Planning and Design Code).

The community responses indicate a strong desire for the Park Lands to be publicly accessible, with less build form and development and more open spaces focused on the natural environment and biodiversity. Feedback outlined that the commercialisation, privatisation and major developments should be minimised or stopped all together in the Park Lands.

Strong community feedback against development of the Park Lands by the State Government was received, including the New Aquatic Centre in Park 2 and the New Women’s and Children’s Hospital in Park 27.

Concern was raised that the Council has changed its approach to the Draft CLMP with less detailed content – as previous versions of the CLMP contained information beyond the requirements of the LG Act and APL Act. Concern was raised that the removal of this detail will compromise the protection of the Park Lands. Community responses included concern about policy ambiguity and sought better clarity of policy in the CLMP.

Some feedback provided on the Draft CLMP included aspirations for the enhancement of the Park Lands, whilst this feedback is helpful for the future planning of the Park Lands, these aspirations are more closely aligned to Adelaide Park Lands Management Strategy (APLMS) which sets future aspirational targets and objectives for the Park Lands. The APLMS is currently under review, with consultation on this document to occur in 2023.

Key Points from Responses

- The Draft CLMP does not provide the same level of information on protection for the Park Lands from major development as previous versions.
- The Draft CLMP introduces increased ambiguity which does not support the protection of the Park Lands.
- The objectives and purpose in which the Park Lands are held should reflect the environmental and open space nature of the Park Lands and the reinstatement of land as Park Lands rather than being built on.

Key Feedback Themes

Three predominant themes have been identified through consultation feedback, including;

Valuable community and environmental asset

- The Park Lands provide valuable open space and environmental landscapes to the city, community and adjoining council areas and should be preserved from major developments.

Enhancement and protection of environmental landscapes

- The community want the Park Lands enhanced with green space and biodiversity that is protected from development, commercialisation and privatisation.

Protection of cultural and heritage values

- State Agencies and Local Government outlined the need for greater identification and protection of culturally and historically significant landscapes and built form.

The three themes highlight the importance and value of community land and specifically the Park Lands to the city, communities and South Australia.

The themes will help Council in its ongoing management of the Park Lands and contribute to future strategic planning to ensure that the Park Lands are enhanced and protected for future generations.

New Adelaide Aquatic Centre Lease Consultation

Consultation on the Draft CLMP occurred at the same time as consultation on the Adelaide Aquatic Centre Redevelopment: Construction Licence and Lease Agreement (Denise Norton Park / Pardipardinyilla (Park 2)).

A number of submissions to the CLMP Consultation raised concerns about the granting of a lease to the State Government for the development of the new Adelaide Aquatic Centre in Denise Norton Park / Pardipardinyilla (Park 2).

Council has undertaken separate community consultation on this matter and feedback will be managed separately to the Draft CLMP.

Administration Response

Administration has reviewed the feedback from Stage 1 and 2 of the consultation in detail with a summary and comment provided in Appendix A and Appendix B.

Administration notes the community's concerns regarding the consolidation of information in the Draft CLMP, want for protection of the Park Lands and desire for policy clarity.

The consolidation of the previous chapters of the CLMP into a single CLMP for the Park Lands is consistent with section 196(2) of the LG Act. This approach will provide Council with a management plan that reduces duplication (and potential inconsistency) between the CLMP and other official documents of Council.

The Draft CLMP provides extensive links to information contained in other documents rather than including extracts from these documents in the Draft CLMP. The approach reduces the overall length of the Draft CLMP, avoids inconsistency between documents when new versions are updated and supports compliance with the CLMP.

The overarching protection of the Park Lands from major development is reliant on the APL Act and Adelaide Park Lands Zone in the Planning and Design Code, the CLMP is a management plan.

The CLMP sets out Council's approach to using and managing community land on behalf of the community it is not a future strategic planning document, which is the role of the Adelaide Park Lands Management Strategy.

Refinements to the draft CLMP are proposed in response to consultation feedback to improve effectiveness and clarity of the CLMP.

Implementation of Draft CLMP

Pending adoption by Council, the consolidated CLMP will supersede all previous CLMP's for the Park Lands except the Adelaide Oval Precinct CLMP.

The CLMP will be available on Council's website along with Council's Community Land Register and details of the lease/licenses for the Park Lands.

Appendix A - Consultation Summary Tables

The following sections provide detailed summary and key points that were received in submissions through Part 1 (Stakeholders) and Part 2 (Community) consultation on the Draft CLMP.

An Administrative response has been included to inform if any refinements be considered to respond to the consultation feedback.

Part 1 - State Government Agencies / Adjoining Councils* Stakeholders

*Adjoining Councils – City of Unley, City of West Torrens, City of Charles Sturt, City of Prospect, Town of Walkerville, City of Norwood, Payneham and St Peters and City of Burnside.

Stakeholder	Comments	Administration Comment	Refinement Recommended
Kaurna Yerta Aboriginal Corporation (KYAC)	KYAC supported the consultation strategy for the CLMP and received a presentation on the CLMP on 28 June 2023. A formal letter was sent on 10 July 2023.	Administration is in ongoing discussions with KYAC regarding management of cultural significance, heritage significance and cultural uses.	Pending any further feedback
Kadaltilla / Adelaide Park Lands Authority	The CLMP needs to be more aspirational in the introductory statements.	<p>The CLMP includes the following introductory statement on page 1 (now proposed to be further amended to include the words “visitors and future generations”):</p> <p><i>The Adelaide Park Lands are for all South Australians, visitors and future generations.</i></p> <p><i>The uses of the Park Lands, their landscapes and their values are as diverse as the people who enjoy them.</i></p> <p><i>They reflect what we value as a community from a social, cultural, recreational and environmental perspective.</i></p> <p><i>They are a place to meet and be with friends and family, a place to escape the rigours of urban life, a place to be active, and a place to connect with and appreciate the natural environment.</i></p> <p><i>Access to this green open space represents one of the qualities that make our city liveable, healthy and sustainable for those who are already here. It is also one</i></p>	Yes

Stakeholder	Comments	Administration Comment	Refinement Recommended
		<p><i>of the attributes that may encourage others to make the City of Adelaide home.</i></p> <p><i>This Community Land Management Plan ensures that the Adelaide Park Lands continue to be cared for and managed as an invaluable asset for the public benefit of the people of South Australia.</i></p>	
	<p>Amend 8.4.1: Business Purposes to include “small scale commercial” to be clear this is only for “ancillary uses”.</p>	<p>Section 8.4.1 reads:</p> <p><i>Consistent with section 200 of the LG Act, the Park Lands (community land) must not be used for business purposes unless the use is approved by Council. Small scale commercial activities are envisaged for areas of the Park Lands where the activity provides community benefit and supports outdoor recreational use of the Park Lands.</i></p> <p>This wording is consistent with that of Objective 3: “Commercial Activities” in section 10 which provides the ‘Overarching Objectives, Targets And Measures for Adelaide Park Lands’.</p>	<p>Yes</p>
	<p>The reference to vehicle access and parking in section 8.4.3 appeared to be an incorrect placement of text. It was suggested that this information be included under 8.5: ‘Adelaide Event Guidelines.’</p>	<p>The reference to vehicle access and structures is not an incorrect placement of text.</p> <p>This section addresses the range, type and duration of cultural uses which may be quite different to an ‘event’. For example, uses which may require people staying overnight as was the case with the Cultural Burn in Park 17.</p> <p>In these situations, vehicle access is restricted to that required to undertake the activity.</p>	<p>Yes</p>

Stakeholder	Comments	Administration Comment	Refinement Recommended
	Add a reference to the wetland / stormwater site in the GS Kingston Park / Wirrarninithi (Park 23) annexure.	<p>The wetland is mentioned in both the text and the aerial map for Park 23.</p> <p>'Stormwater retention basin' was added to the text: <i>GS Kingston Park / Wirrarninithi (Park 23) features a biodiversity area, incorporating a wetland/ <u>stormwater retention basin</u>, the Wirraninithi Interpretive Trail and associated public art.</i></p>	Yes
	7.3: National Heritage Listing - The comment was made that this section provides only a partial description of the criteria met by the Adelaide Park Lands and City Layout in order to achieve National Heritage Listing. It was suggested that to provide a more comprehensive outline of the criteria OR delete the partial description, allowing Appendix B (which lists the six criteria in full) to tell the full story.	<p>The partial description has been deleted.</p> <p><i>The Environment Protection and Biodiversity Conservation Act 1999 (the EPBC Act) is the Australian Government's key environmental and heritage protection legislation and establishes the National Heritage List. The Adelaide Park Lands and City Layout is included on the National Heritage List (Appendix B). The Adelaide Park Lands and City Layout is listed because it is a significant example of early colonial planning and has retained key elements of its historical layout, including two major city areas separated by the River Torrens / Karrowirra Pari, the encircling Park Lands, six town squares and gardens, and a grid pattern of roads.</i></p>	Yes
	Change references to events to 'temporary events.'	All references to events in individual parks have been amended to 'temporary events' where relevant.	Yes
	Delete Figure 5 in the Denise Norton Park / Pardipardinyilla (Park 2) annexure as it relates to the proposed site of the new Aquatic Centre.	Figure 5 has been deleted and the figure numbering updated in the rest of the document.	Yes
	Update aerial images (the example given was Victoria Park which showed an unfinished and dry wetland)	<p>Annexure maps have been updated with the latest aerial images including:</p> <ul style="list-style-type: none"> • Park 16 - completed wetland • Park 4 - carbon offset planting site 	Yes

Stakeholder	Comments	Administration Comment	Refinement Recommended
		<ul style="list-style-type: none"> • Park 14 - all access playground • Park 20 - creek works in conjunction with the wetlands • Whitmore Square - new edge path 	
	Consider inclusion of reference to ODASA Good Design Guidelines	The following statement has been added to the end of Section 8.5: 'Adelaide Park Lands Building Design Guidelines': <i>Additional design resources are available via the <u>Office for Design and Architecture SA (ODASA)</u></i>	Yes
	At its meeting on 23 February 2023 Kadaltilla supported the amended consolidated draft CLMP, inclusive of some additional minor changes (as listed above) for the purposes of undertaking consultation.	Noted	Yes
Minister for Planning	<p>Annexure 27 – Tarntanya Wama (Park 26), Figure 29: Extend the aerial photograph north to illustrate the whole of Park 26 and clarify the boundary of the land subject to this CLMP and the boundary of the land subject to the Adelaide Oval Precinct CLMP.</p>	Refinement to map made to include full extent of Adelaide Oval Precinct CLMP prior to community consultation	Yes
	<p>Norton Park / Pardipardinyilla (Park 2).</p> <ul style="list-style-type: none"> • In addition, the Minister considered the CLMP in respect of the proposed redevelopment of the Adelaide Aquatic Centre. • The State has committed to build a new Adelaide Aquatic Centre on Denise Norton Park / Pardipardinyilla (Park 2). 	Noted	No

Stakeholder	Comments	Administration Comment	Refinement Recommended
	<ul style="list-style-type: none"> The upgrade is referred to in the Adelaide Park Lands Management Strategy 2015-2025 (the Strategy) and the Planning and Design Code (the Code) as amended in respect of Denise Norton Park / Pardipardinyilla (Park 2). The Code, in particular, includes a number of policies and protections to ensure a no net loss of park lands and includes built form setbacks to Barton Terrace (50 metres from the kerb), an identified 'return to Park Lands area', a 'biodiversity area for protection', and avenue of trees for protection. To ensure consistency with the Strategy and the Code, the introduction of some amendments to the CLMP are required. 		
	<p>Annexure 2: Figure 4: This should include a qualifying statement to note that although the map is current at the date of publication, the layout of the facilities as depicted in the map is anticipated to change due to the redevelopment of the Adelaide Aquatic Centre.</p>	<p>Refinement made prior to community consultation as follows; <i>Map is current at the date of publication and layout is anticipated to change under Management Proposal in A2.6</i></p>	<p>Yes</p>
	<p>Items A2.4 and A2.5: These items currently refer only to 'indoor' aquatic facilities. They should be updated to refer to 'indoor and outdoor' aquatic facilities given the new centre is</p>	<p>Refinement made to include 'indoor and outdoor' under A2.4 prior to community consultation</p>	<p>Yes</p>

Stakeholder	Comments	Administration Comment	Refinement Recommended
	<p>proposed to include an outdoor pool and other outdoor aquatic facilities.</p> <p>Item A2.6:</p> <ul style="list-style-type: none"> This item should include support for all works and activities associated with the proposed redevelopment including but not limited to, demolition of the existing centre, construction of a new centre (potentially in a different part of Park 2), landscaping and other works to car parks sporting fields, pathways and other areas and facilities within the park. The statement currently included in the CLMP regarding the State Government’s intention to change the care, control and management arrangements in relation to this site should be broadened to provide flexibility around the grant of access and rights to the State to construct, own and operate the new Aquatic Centre. Without limiting other options available, this section should expressly authorise the City of Adelaide (the Council) under section 202(3) of the Local Government Act 1999 to grant leases and licences in relation to the proposed redevelopment and the ongoing operation of the centre. This section should also clearly state that the 	<p>Refinements made to A2.6 to reflect suggested refinements prior to community consultation:</p> <p><i>Support State Government commitment to the relocation and development of a new aquatic facility (incorporating upgraded landscaping and other works to surrounding areas) within the park, including by authorising:</i></p> <ul style="list-style-type: none"> <i>the grant of any licence(s) over all areas necessary to facilitate construction activities (including decommissioning of the existing aquatic centre and commissioning of a new facility); and</i> <i>the grant of a form of long term lease to or entry into other form of long term arrangement with the State Government to facilitate the State Government’s ownership, management and operation of the new facility;</i> <p><i>Support other facilities and commercial activities complementing the provision of aquatic activities, fitness and allied health uses and ancillary use that are consistent with the purposes for which the land is held;</i></p> <p><i>Encourage a master plan of the site to promote the integration of uses and spaces.</i></p>	<p>Yes</p>

Stakeholder	Comments	Administration Comment	Refinement Recommended
	<p>limitations on the grant of temporary licences by the Council (as described in item 8.4.5 of the CLMP) do not apply to the grant of a licence from the Council to the State for the purposes of undertaking the Adelaide Aquatic Centre redevelopment.</p>		
	<p>Subject to the above suggestions being adequately addressed, the Minister for Planning provided endorsement to proceed to public consultation on the CLMP for the Adelaide Park Lands.</p>	Noted	No
University of Adelaide	<p>We have reviewed the CLMP as a state authority with a direct interest in the matter. As noted in the CLMP this plan does not include land under the care, control and management of the Crown or a State Authority and as such much of the land on which the University is located is not subject to the CLMP objectives, policies and proposals.</p>	Noted	No
	<p>We do note however that consideration has been given to preserve a straight axial view connecting the Barr Smith Library of the University of Adelaide to the Adelaide Botanic Garden, aligning with the original design as intended by South Australian architect Walter Bagot. This is consistent with our planning and our Public Realm Masterplan.</p>	Noted	No
	<p>We have also reviewed the CLMP in the context of the Park Lands Lease</p>	Noted – The permitted use under the lease is broad, it outlines uses consistent with or related to sporting	Yes

Stakeholder	Comments	Administration Comment	Refinement Recommended
	<p>Agreement between the University of Adelaide and Adelaide City Council dated 9 September 2013. This 42 year lease is for the buildings and sports fields used and maintained by the University at Bullrush Park / Warnpangga (Park 10) and Red Gum Park / Karrawirra (Park 12). The area of these two parks is far greater than the area covered by the University lease however the lease would appear to have a slightly broader definition of permitted use than is outlined in the CLMP in the individual park plan Purpose and Objectives.</p>	<p>activities of any kind, without limitation clubrooms, training, games, events and functions, or any other use permitted for the Adelaide Park Lands by the management plans.</p> <p>The wording in the Draft CLMP relevant to the Adelaide Uni Lease states, 'Providing sporting fields and an archery field'</p> <p>Minor refinements proposed to Park 10 and 12 to ensure permitted use include the uses under any lease and license over the land.</p>	
	<p>We request CoA consider the incorporation of more detail in the individual park plans in the section A_5 Objectives, targets and measures for managing the land. This section is currently included in each plan but the level of detail varies. The addition of the following will better align each plan with our lease and our Park 10/12 Sports Masterplan (as presented to Adelaide Parklands Authority in 2020).</p>	<p>The Adelaide University Sport Masterplan for Park 10/12 has not been endorsed by Kadaltilla or Council.</p> <p>The Adelaide Park Lands Management Strategy should influence future master planning of Parks 10 & 12.</p>	No
City of Prospect	<p>Within the objectives, to ensure there is adequate access to, and inclusivity within, all the key facilities and amenities being provided to the public, where possible, include principles of Universal Design</p>	<p>Noted – Council will continue to include principles of Universal Design for all Park Land facilities and amenity upgrades through the implementation of the Adelaide Park Lands Building Design Guidelines and the Adelaide Park Lands Management Strategy</p>	No

Stakeholder	Comments	Administration Comment	Refinement Recommended
	<p>In Annexure 2, item A2.7 (page 22) lists that “there may be restricted access to the sporting fields and courts under licence during programmed sporting times”. Our feedback is to ensure that the courts and sporting fields continue to remain predominately available for community use, outside of programmed sporting times.</p>	<p>Noted – the current wording provides awareness of the reason for temporary changes in access:</p> <p><i>There may be restricted access to the sporting fields and courts under licence during programmed sporting times</i></p>	<p>No</p>
<p>City of Charles Sturt</p>	<p>Feedback focuses on Park 1 and Park 27B, given the direct connection of these parks to the City of Charles Sturt, and to a lesser extent Park 27A, which caters for active recreation (including dog exercise) for Charles Sturt residents</p>	<p>Noted</p>	<p>No</p>
	<p>Council welcomes and supports the overarching objectives, targets and measures for Adelaide Park Lands, as outlined in section 10. These objectives are broadly consistent with relevant City of Charles Sturt plans and strategies and form a practical and equitable approach to managing the Park Lands, in consideration of their diverse recreational, environmental and cultural heritage.</p>	<p>Noted</p>	<p>No</p>
	<p>The management objectives for trees, gardens and open space is acknowledged and supported, particularly the inclusion of providing a mix of species and climate resilience. This aligns to the City of Charles Sturt’s Tree Canopy Improvement Strategy and recognises the</p>	<p>Noted</p>	<p>No</p>

Stakeholder	Comments	Administration Comment	Refinement Recommended
	importance of tree and vegetation management in achieving urban cooling and biodiversity objectives beyond council boundaries.		
	The management objectives for lakes, wetlands, watercourses and stormwater is acknowledged and supported, recognising the impact on the ecosystem of the River Torrens / Karrawirra Pari, and the downstream location of the City of Charles Sturt and our role in managing the river and associated infrastructure.	Noted	No
	The management objectives for public facilities, furniture and amenities is acknowledged and supported. The Park Lands provide important facilities for City of Charles Sturt residents, particularly those in Hindmarsh, Brompton, Bowden and Ovingham. The inclusion of 'dog parks' is also important, including maintaining access to dog off leash areas. The provision and maintenance of signage, particularly way finding, is also important to highlight directions to nearby services in the City of Charles Sturt, such as the Adelaide Entertainment Centre and Bowden train station.	Noted	No
	The management objectives for foot and cycle paths to meet the need of users is acknowledged and supported. Council strongly supports maintaining the integrity of the Park Lands Trail and connections to the City of Charles Sturt via the River	Noted	No

Stakeholder	Comments	Administration Comment	Refinement Recommended
	Torrens Linear Park, Park Terrace underpass, and pedestrian crossings at Hawker Street and Torrens Road.		
	The management objective for leases and licences is acknowledged and supported, particularly in response to ‘a variety of sporting groups that respond to sporting demand’, as City of Charles Sturt may benefit. Council suggests leases and licences are issued in consideration of broader community access, to ensure the use of the Park Lands is optimised and available to all.	Noted	No
	Council acknowledged and supported the management objective for the National Heritage Listing, and the development of a National Heritage Management Plan for the city and Adelaide Park Lands by December 2023. Further input into the development of this plan by adjoining Council’s would be welcomed.	Noted	No
	<p>Possum Park / Pirltawardli (Park 1)</p> <ul style="list-style-type: none"> The objective ‘to provide golf, golfing related activities and ancillary services’ is specifically listed for this Park, whilst objectives for other parks are listed more broadly in section 10. It is also noted that the objectives do not explicitly include the sites of cultural significance, which, whilst this may be subject to further review as part of the National Heritage 	Noted	No

Stakeholder	Comments	Administration Comment	Refinement Recommended
	<p>Management Plan, may strengthen the objectives for this park.</p>		
	<p>Inclusion of the Park Lands trail is acknowledged and supported, in reference to the comments outlined above regarding Park Lands access for City of Charles Sturt residents</p>	<p>Noted</p>	<p>No</p>
	<p>General comments</p> <ul style="list-style-type: none"> • Some parks include commentary of their history (both pre and post-European settlement) and important features, however this is not provided for parks 1 and 27B. • Not sure what is meant by ‘open access’ re the community garden in 27b. We understand that a fence was recently installed which was supported by ACC. We understand that the community garden group have recently been making efforts to make the garden more accessible in terms of disability access and Inclusion - supporting these aims, as well as engagement with all users of the Park Lands might suit better? • City of Charles Sturt would support trails and destinations in the Park Lands to consider Disability Access and Inclusion considerations ensuring all people can access the Park Lands. • Interest for a small dog park in close proximity to Bowden. Any 	<p>Noted</p> <p>Minor refinements proposed.</p> <p>The community garden fence has been constructed, however the License requires the gates to not be locked or limit public access.</p> <p>Amended to reflect the License that the gate will not be locked or limit public access.</p> <p>Specific improvements to Park Land areas to be considered in the Adelaide Park Lands Management Strategy.</p>	<p>Yes</p>

Stakeholder	Comments	Administration Comment	Refinement Recommended
	<p>commentary should be conducive to that as a potential future option as the likelihood of land being available in the Bowden side is slim.</p> <ul style="list-style-type: none"> It is also noted that 'support the master planning and redevelopment' is listed for some parks in the CLMP document, but is not included for parks 1 and 27B, assuming no further development is proposed to these parks in the short term. 		
Central Adelaide Local Health Network	General Support provided, No issues or concerns raised	N/A	No
SA Water	General Support provided, No issues or concerns raised	N/A	No
Department of Infrastructure & Transport	Ensure references to the locations of known burial sites are approved by the Kurna Yerta Aboriginal Corporation Board to allow this information to be made publicly available as this information is protected by the <i>Aboriginal Heritage Act 1988</i>	Noted - Kurna burial sites are no longer shown on maps, they are referenced in text descriptions. The City of Adelaide will continue to work with KYAC to ensure Kurna burial sites and sites of significance are acknowledged and/or recognised in accordance with advice from persons of cultural authority.	No
	<ul style="list-style-type: none"> The Department supports the draft CLMP and notes commentary included in Annexure 28 – Bonython Park / Tulya Wardli (Park 27) regarding the expected impact on the functions of the park as a 	Noted	No

Stakeholder	Comments	Administration Comment	Refinement Recommended
	<p>consequence of the <i>New Women’s and Children’s Hospital Act 2022</i>.</p> <ul style="list-style-type: none"> • However it is noted that the CLMP only applies to those areas under the care/ control of the City of Adelaide; the land for the nWCH is already vested in the Minister for Health & Wellbeing 		
Department for Environment & Water (DEW)	<ul style="list-style-type: none"> • In Table 1 under the category ‘Biodiversity’ DEW notes that the objective is to protect the biodiversity in the Park Lands. There is some excellent revegetation work occurring in the Park Lands and DEW considers this should also be reflected in this section, DEW suggests amending the objective to read ‘protect and enhance biodiversity in the Park Lands’. 	<p>Noted</p> <p>Minor refinements to wording proposed to reflect– ‘protect and enhance’ biodiversity.</p>	Yes
	<p>In Table 1 under the category Heritage landscapes and features includes the following Measure:</p> <ul style="list-style-type: none"> • ‘M8.1 Monitor the number of changes that negatively impact on heritage values through reports to Council as required.’ • DEW does not consider that this measure will achieve the stated objective and target which are: • ‘O8 To protect heritage landscapes and features.’ 	<p>State and Local Heritage places are included and mapped in the Adelaide Park Lands and City Layout: National Heritage Management Plan (NHMP) that is being developed by the Council. To reduce duplication, the NHMP will be referred to in future iterations of the CLMP once finalised.</p> <p>Minor change to Measure 8.1: Monitor the number of changes <u>Changes</u> that negatively impact on heritage values <u>are assessed and negative impacts are reported</u> through reports to Council as required</p>	Yes

Stakeholder	Comments	Administration Comment	Refinement Recommended
	<ul style="list-style-type: none"> • 'T8.1 Historic and culturally significant landscapes, character, structures, features and spatial layout are managed with regard to State/Local listings and Cultural Landscape Assessments to ensure they are protected.' • DEW suggests that a more proactive measure is devised that assesses the likely impact of proposed changes/development/maintenance regimes on the heritage values and not only reports on the potential negative impact, but also prevents the negative impact from occurring in the first place. • DEW notes this section does not mention the role of the Park Lands in providing eco-system services to the city and surrounding areas e.g. cooling. DEW suggests including in this section, an objective about retaining and maintaining those values that contribute to making the city and surrounding areas more liveable and climate resilient. 	<p>Objectives regarding ecosystem improvements and further information on Key Biodiversity areas are within Council's Integrated Biodiversity Management Plan</p>	
	<p>Section 11: Park specific information</p> <ul style="list-style-type: none"> • In this section each park is represented by a map that outlines key aspects of the park that are being managed/protected/preserved e.g. 	<p>State and Local Heritage places are included and mapped in the Adelaide Park Lands and City Layout: National Heritage Management Plan (NHMP) that is being developed by the Council. So as to reduce duplication, the NHMP will be referred to in future iterations of the CLMP once finalised.</p>	<p>Yes</p>

Stakeholder	Comments	Administration Comment	Refinement Recommended
	<p>key biodiversity areas, sites of cultural significance (as opposed to heritage listed sites) or elements that are located within the park such as drone flying areas or car parks.</p> <ul style="list-style-type: none"> • DEW suggests that each map also clearly identify the location of local and State Heritage Places so that it is clear that there are additional legislative requirements around the protection of those places within each park. • The accompanying text for each park does often highlight that there are State and/or local heritage places within the park, however, in some cases the text makes it appear as if there is only one site within the park or none. For example, in Annexure 12 – Red Gum Park / Karrawirra (Park 12), features of the park note the State Heritage listed Grandstand – there are actually six State Heritage Places in Park 12, that are located within the land managed by the City of Adelaide. Similarly for the River Torrens / Karrawirra and also Victoria Square / Tarntanyangga. 	<p>Minor refinements made to reflect that some Parks have multiple State Heritage places, rather than only mentioning a specific site.</p>	
	<p>DEW suggests that the text for Annexure 12 Park 12, Annexure 34 – Victoria Square / Tarntanyangga and Annexure 40 River Torrens / Karrawirra Pari be</p>	<ul style="list-style-type: none"> • State and Local Heritage places are included and mapped in the Adelaide Park Lands and City Layout: National Heritage Management Plan (NHMP) that is being developed by the Council. So as to reduce 	<p>Yes</p>

Stakeholder	Comments	Administration Comment	Refinement Recommended
	updated to indicate there are several State Heritage Places in Park 12, Victoria Square and (crossing over the) River as has occurred in other park entries.	duplication, the NHMP will be referred to in future iterations of the CLMP once finalised. <ul style="list-style-type: none"> Minor refinements made to figure numbers on maps prior to public consultation. 	
	Annexure 4 – Reservoir Park / Kangatilla – includes an area of revegetation which is mentioned in the park context section and shown on the map. DEW suggests that mention could also be made of the revegetation in the purpose and management proposals sections e.g. not just protecting existing biodiversity but also enhancing it.	This is covered in Council’s Integrated Biodiversity Management Plan which is accessed from the CLMP via a linked document.	No
	Annexure 11 – Frome Park / Nellie Raminyemmerin – the reference to the figure in paragraph four should be 13 not 14.	Minor refinements made to figure numbers on maps prior to public consultation.	Yes
	Annexure 38 – Whitmore Square / Iparitya – Figure label says it is a Map of Light Square – correct to Whitmore Square	Minor refinements made to figure numbers on maps prior to public consultation.	Yes
	A number of parks include key biodiversity areas, there may be some benefit to including a short description of what values each of these areas have. Areas of remnant vegetation are also identified in some parks, but it is not clear why these areas are not also referenced as key biodiversity areas	Noted – Detail about Key Biodiversity Areas is covered in Council’s Integrated Biodiversity Management Plan which is accessed from the CLMP via a linked document.	No

Part 2 - Community Consultation (through YourSay)

- The following feedback has been received through the Your Say community consultation page from individual community members (the identity of the individuals have been removed).
- The Your Say page asked stakeholders 6 questions as outlined below.

Summary of Comments Submitted	Administration Comment	Refinement Recommended
Q1. Do you have any comments about the overall purpose for which the Adelaide Park Lands as a system are held, as outlined in section 5.2 (page 5) of the draft CLMP?		
Park Lands are for all residents and users, not private schools or business entities	The granting of lease and licenses is subject to Council approval and community land is available for community use outside of programmed times.	No
A future vision of the Park Lands featuring a lake, diverse birdlife and shade. An eco-friendly space based on environmental sustainability and well-designed stormwater management	This vision is captured by the objectives, targets and measures relating to (i) trees, (ii) gardens and open space and (iii) lakes, wetlands, watercourses and stormwater. Future aspirations for the Park Lands are captured in the Adelaide Park Lands Management Strategy.	No
The points outlined in this section are reasonable	Noted	No
Objection to the Park Lands being used for events which block access and have negative impacts on nearby residents (noise, litter and anti-social behaviour)	Events in the Park Lands are governed by the <u>Adelaide Event Guidelines</u>	No
Overall purposes should be for enjoyment of all people and visitors and for benefit of the environment	These points are captured by the five points listed under the overall purpose.	No
Just don't build physical structures on the Adelaide Park Lands. Simple. Leave nature alone.	Noted – the <i>Adelaide Park Lands Act 2005</i> is the highest order of protection for the Adelaide Park Lands. Development is assessed under the State Government's state-wide Planning and Design Code.	No
Section 11 elements conflicts against the overarching purposes cited of 5.2. For example	The stated developments are State Government developments which have been approved under separate legislation.	No

Summary of Comments Submitted	Administration Comment	Refinement Recommended
<p>the plan is supportive of the destruction of heritage olive groves and trees for new Women’s and Childrens Hospital site, supportive of destruction of Parklands for new Aquatic Centre yet speaks to environmental benefit elements within 5.2.</p>	<p>The CLMP is required to reflect State Government proposals in the Park Lands.</p>	
<p>Q2. Do you have any comments about the objectives, targets and measures covering all the Adelaide Park Lands, as listed in section 10 (pages 13-16) of the draft CLMP?</p>		
<p>Must be provisions for retaining some Park Lands as natural space: natural bushland as close to pre-settlement as possible. For reasons of biodiversity and health and wellbeing of people.</p>	<p>Provisions relating to the retention of key biodiversity areas and remnant vegetation are addressed in the objective/ target / measure relating to biodiversity.</p> <p>Refinement made to objective and target to include ‘enhance and protect’ of biodiversity the Park Lands</p>	<p>Yes</p>
<p>Objects to the Park Lands being used for commercial purposes that have a negative impact on green space and block access for an extended period.</p>	<p>Noted - The granting of lease and licenses for commercial purposes is considered on a case-by-case basis.</p>	<p>No</p>
<p>The targets etc should ensure the Park Lands are not built on, given over to private use and to encourage native vegetation.</p>	<p>Noted – the development of facilities and built form is carefully considered by Council to ensure that the objectives of the Park Lands are met.</p>	<p>No</p>
<p>Just maintain and encourage nature. No more buildings.</p>	<p>Noted – the development of facilities and built form is carefully considered by Council to ensure that the objectives of the Park Lands are met.</p>	<p>No</p>
<p>The key elements are being breached presently and are failing to meet targets and measures cited. i.e. destruction and loss of parklands for new State high school, Women’s and Childrens Hospital, proposal lapsed for destruction of part Park 21. The State Government is already running roughshod over what is the papers worth?</p>	<p>Noted – the <i>Adelaide Park Lands Act 2005</i> is the highest order of protection for the Adelaide Park Lands.</p> <p>The CLMP is required to reflect State Government proposals in the Park Lands.</p>	<p>No</p>

Summary of Comments Submitted	Administration Comment	Refinement Recommended
<p>Q3. Do you have any comments about the purpose for which the land of a specific park is held, as outlined in each of the annexures contained in section 11 (pages 18-113) of the draft CLMP? Please name the park or parks to which you are referring.</p>		
<p>Rymill Park / Murlawirrapurka (Park 14) is over-used for events: time to bump in/out, limitations to access, cost of restoration</p>	<p>Noted – Events in the Park Lands are governed by the <u>Adelaide Event Guidelines</u> - the CLMP provides for the provision of events to be held, not the duration or frequency.</p>	<p>No</p>
<p>Victoria Park wetlands: “fabulous” but concerns about dogs off-leash and bituminising areas of the park for car racing</p>	<p>Council has decided to increase dogs on-leash areas in Victoria Park around the Wetlands, signage has been installed and Council's website has been updated with the updated dog on/off leash areas.</p>	<p>No</p>
<p>Park 2: an opportunity to restore to green and open space. Suggest changing the purpose for which the park is held. If a brownfield site selected for the new Aquatic Centre instead, it would return 30,000m² to Park Lands.</p> <p>Park 25: could be more than sporting in purpose as also features the ‘Narnungga Urban Forest’</p>	<p>Noted – Council will be working closely with the State Government to ensure that the areas returned to Park Lands as a result of the new Aquatic Centre are designed to provide public access to enhanced open spaces</p>	<p>No</p>
<p>East Park Lands bordering East Terrace / Hutt Street/ Rundle Street / North Terrace (<i>no further comment provided</i>)</p>	<p>N/A</p>	<p>No</p>
<p>Park Lands should not be built on or used for any purpose not in the interests of the environment</p>	<p>Noted - Objectives, targets and measures include (i) trees, (ii) gardens and open space and (iii) lakes, wetlands, watercourses and stormwater.</p>	<p>No</p>
<p>The draft CLMP supports Parklands destruction based on present State Government initiative construction sites. We have no protection from State Government intrusion for construction purposes. The draft CLMP supports total destruction of heritage olives groves for new Women’s and Children Hospital site and overlay.</p>	<p>Noted – the <i>Adelaide Park Lands Act 2005</i> is the highest order of protection for the Adelaide Park Lands.</p> <p>The CLMP is required to reflect State Government proposals in the Park Lands.</p>	<p>No</p>

Summary of Comments Submitted	Administration Comment	Refinement Recommended
<p>Q4. Do you have any comments about the additional objectives, targets and measures for managing a specific park, as outlined in each of the annexures contained in section 11 (pages 18-113) of the draft CLMP? Please name the park or parks to which you are referring.</p>		
<p>Park 2: selecting a brownfield site instead for the new Aquatic Centre would release 30,000m² back as Park Lands</p>	<p>Noted – Council will be working in collaboration with the State Government to ensure that the areas returned to Park Lands as a result of the new aquatic centre are designed to provide public access to enhanced open spaces.</p>	<p>No</p>
<p>Park 25: foster as a forest / natural bushland to provide biodiversity and health/ wellbeing benefits</p>	<p>Noted - This vision is captured by the objectives, targets and measures relating to (i) trees, (ii) gardens and open space and (iii) lakes, wetlands, watercourses and stormwater.</p> <p>Refinement made to objective and target to include 'enhance and protect' of biodiversity the Park Lands.</p>	<p>Yes</p>
<p>East Park Lands bordering East Terrace / Hutt Street/ Rundle Street / North Terrace (no further comment provided)</p>	<p>N/A</p>	<p>No</p>
<p>Park Lands should not be built on or used for any purpose not in the interests of the environment</p>	<p>Noted - Objectives, targets and measures include (i) trees, (ii) gardens and open space and (iii) lakes, wetlands, watercourses and stormwater.</p>	<p>No</p>
<p>No more buildings.</p>	<p>Noted – the development of facilities and built form is carefully considered by Council to ensure that the objectives of the Park Lands are met.</p>	<p>No</p>
<p>Q5. Do you have any comments about the management proposals for a specific park, as outlined in each of the annexures contained in section 11 (pages 18-113) of the draft CLMP? Please name the park or parks to which you are referring.</p>		
<p>Consolidate buildings in Park 17 to better support mixed sport participation</p>	<p>Noted – the consolidation of building and facilities within specific parks can be considered and identified as opportunities through the Adelaide Park Lands Management Strategy.</p>	<p>No</p>
<p>Park 2: Do not authorise the proposed construction licence and lease agreement sought by the State Government for the new Aquatic Centre</p>	<p>Noted – see separate consultation around the lease and license for the new Adelaide Aquatic Centre.</p>	<p>No</p>
<p>Why are these Park Lands blocked for six months a year. Set up – event – clean up (respondent is referring to the East Park Lands</p>	<p>Noted – Events in the Park Lands are governed by the <u>Adelaide Event Guidelines</u> - the CLMP provides for the provision of events to be held, not the duration or frequency.</p>	<p>No</p>

Summary of Comments Submitted	Administration Comment	Refinement Recommended
bordering East Terrace / Hutt Street/ Rundle Street / North Terrace)		
Park Lands should not be built on or used for any purpose not in the interests of the environment	Noted - Objectives, targets and measures include (i) trees, (ii) gardens and open space and (iii) lakes, wetlands, watercourses and stormwater.	No
What management do you have when you support Parklands destruction for State Government development purposes.	Noted – the <i>Adelaide Park Lands Act 2005</i> is the highest order of protection for the Adelaide Park Lands. The CLMP is required to reflect State Government proposals in the Park Lands.	No
Q6. Do you have any further comments about the draft consolidated Community Land Management Plan for the Adelaide Park Lands?		
Stop private schools building private facilities in the Park Lands. They are not public facilities; they are private function centres.	Noted – the development of facilities and built form is carefully considered by Council to ensure that the objectives of the Park Lands are met.	No
Need to re-green the Park Lands: plant more and protect existing trees. The Park Lands are not development opportunities but areas that should be increased / re-greened. Use brownfield sites for commercial purposes	Noted - Objectives, targets and measures include (i) trees, (ii) gardens and open space and (iii) lakes, wetlands, watercourses and stormwater.	No
Litter and graffiti not removed in a timely manner. Some areas of the Park Lands are not safe. Anti-social behaviour of Aboriginal groups.	Noted – this is managed through Council’s operational maintenance for the Park Lands Council will continue to work with the community and stakeholders to increase safety and reduce anti-social behaviour in the Park Lands.	No
Park Lands should not be built but retained for public enjoyment.	Noted – the development of facilities and built form is considered by Council to ensure that the objectives of the Park Lands are met.	No
Where is the State Government Heritage Listing? Utterly commercial and hypocritical to delay this decision. The Park Lands are not free public land for commercial developments.	Noted – The State Heritage Listing is a State Government progress, Council has supported its progression. Council is currently progressing the World Heritage Listing and the Adelaide Park Lands and City Layout National Heritage Management Plan.	No

Summary of Comments Submitted	Administration Comment	Refinement Recommended
<p>The existing and future document fails to provide protection of Parklands I have no faith it can protect Parklands from State Government developments.</p>	<p>Noted – the <i>Adelaide Park Lands Act 2005</i> is the highest order of protection for the Adelaide Park Lands.</p> <p>The CLMP is required to reflect State Government proposals in the Park Lands.</p>	<p>No</p>

Part 2 - Community Consultation (Written Submissions)

The following were submissions received as written responses through the YourSay Platform.

Stakeholder	Summary of Comments Submitted	Administration Comment	Refinement Recommended
Individual Community Member (1)	<p>A 30-page submission was provided by a community member. The Community member provided the following as a summary of the submission – Administration has reviewed the submission in detail. (A copy of the full submission and Administrative Comment is provided in Appendix B).</p>	<p>A copy of the full submission and Administrative Comment is provided in Appendix 2.</p>	<p>No</p>
	<p>If this disturbing proposed revision of the Adelaide Park Lands Community Land Management Plan (CLMP) is adopted it will result in the effective compromising of the purpose and policy efficacy of one of the two key statutory policy documents required under the Adelaide Park Lands Act 2005 to guide park lands zone management direction.</p> <p>The gutted (and in parts highly ambiguous) version proposed by the city council in July 2023 would usher in a new and egregious period of state government and commercial exploitation of the park lands.</p>	<p>Refinements to the draft CLMP are proposed in response to the consultation and comments seeking to ensure effectiveness and clarity of policy in the CLMP.</p>	<p>No</p>
	<p>Park lands CLMP versions have evolved twice since 1999 amendment of the Local Government Act, but this third proposed revision is exceptional in the extent of its flaws. It is stripped of previous detailed content, which deeply compromises it. Its endorsement by the city council, the ‘custodian’ of much of the park lands (74 per cent), would represent one of the most profound South Australian changes in park lands management direction via the CLMP since the passing of the Adelaide Park Lands Act 2005. (This Act features two statutory</p>	<p>Duplication (and potential inconsistency) between the CLMP and other official documents of Council is reduced by providing links within the CLMP to those documents.</p>	<p>No</p>

Stakeholder	Summary of Comments Submitted	Administration Comment	Refinement Recommended
	policies, one of which is the CLMP. The other is the Strategy.)		
	Council’s and subsequent ministerial endorsement of this proposed draft would represent a triumph of 2023 government administrative convenience – not for protection of the integrity of the park lands landscapes, but for state government or commercial built-form exploitation and benefit	<p>A CLMP sets out Council’s approach to using and managing community land on behalf of the community.</p> <p>Development is assessed under the State Government’s state-wide Planning and Design Code (not the CLMP).</p>	No
	This CLMP draft also proposes a breach of section 19 of the Adelaide Park Lands Act 2005 because with respect to the wording and intention relating to Park 2 it is inconsistent with the Adelaide Park Lands Management Strategy 2015–25. That statutory policy document does not contemplate demolishing the existing aquatic centre or creating an alternative (new) centre in another place in Park 2.	<p>Under the <i>Local Government Act 1999</i>, a management plan should (as far as practicable) be consistent with other relevant official plans and policies about conservation, development and use of the land. In the event of an inconsistency an official plan or policy under another Act prevails to the extent of the inconsistency.</p> <p>The Adelaide Park Lands Management Strategy 2015-25 talks to continuing to enhance the Adelaide Aquatic Centre to meet community expectations; and optimising the role of the Aquatic Centre as a state-wide sporting destination.</p> <p>State Government has undertaken a Code Amendment under the Planning, Development and Infrastructure Act 2016, in relation to Park 2 which sets policies for development of the land.</p>	No
	There are compelling reasons to comprehensively reject this draft.	Refinements to the draft CLMP are proposed in response to the consultation and comments seeking to ensure effectiveness and clarity of policy in the CLMP.	No

Stakeholder	Summary of Comments Submitted	Administration Comment	Refinement Recommended
Adelaide Park Lands Association	Letter of support provided for the submission covered above from an individual community member.	As per above and Appendix B.	No
Adelaide Community Sports and Recreation Association Inc	Supports the objectives, policies and proposals relating to Park 21W that have been consolidated for all the Park Lands subject to the following amendment.	Noted	No
	Suggested wording for T14.1 in bold. To support upgrades to community sports buildings (where viable) and construction of new community sports buildings that are fit for purpose, for community sport that accommodates future growth and increases the diversity of physical activity opportunities available to the community and which maximises community participation.	Noted – the CLMP does not need to be this prescriptive, this is an aspiration for the Adelaide Park Lands Management Strategy.	No
	Suggested wording for A22.4 in bold Providing sporting fields and fit for purpose support facilities.	Noted – all redevelopments in the Park Lands will need to satisfy the Adelaide Park Lands Building Design Guidelines 2020 which will ensure developments are fit for purpose.	No
	<ul style="list-style-type: none"> • The Concept Plan for the proposed community sports building should be reflected in the CLMP – specifically the approved location of the new Community Sports Building. • CLMP does not reflect the proposed location of cricket nets in the northwest corner. The CLMP should be amended to reflect the Concept Plan. 	<ul style="list-style-type: none"> • Future upgrades to the community sports building are expected. These upgrades may be reflected on CLMP mapping in the future. • The location of the Cricket nets is yet to be approved. 	No
	Subject to the above-mentioned amendments, support is given for the CLMP.	Noted	No

Stakeholder	Summary of Comments Submitted	Administration Comment	Refinement Recommended
<p>Individual Community Member (2)</p>	<p>Generally speaking, the draft CLMP provides a comprehensive overview of the Adelaide Park Lands (APL) management and sets the framework for individual Park CLMPs such as that for Victoria Park. I find it well-written and easy to follow. My comments relate to the document being a status report. It describes the current situation and does not identify or provide a way forward for the APL's most pressing issues. In my opinion, the areas requiring addressing are the management of the APL, their funding and the lack of data: Each of these issues could be addressed in the final CLMP.</p>	<p>Noted – The Adelaide Park Lands Management Strategy is the strategic document that informs future opportunities and planning for the Park Lands.</p>	<p>No</p>
	<p>Improved Management</p> <ul style="list-style-type: none"> • The draft CLMP outlines the existing management of APL. • Unfortunately, the tension between institutional uses and public open space, evident since 1850, has not disappeared. • The Adelaide Park Lands Act 2005 (the Act) has not delivered the required management structure to enable the APL to be cooperatively managed despite the best efforts. Recent events suggest that the current management framework for the ADL is not working, resulting in views such as the state government using legislation to achieve its aims. Examples include the raft of state government infrastructure projects in APL, such as the Women and Children's Hospital. In addition, a growing program of major events that impact upon other users of APL. 	<p>Noted – the CLMP is intended to outline the existing management of the Park Lands.</p> <p>The Adelaide Park Lands Management Strategy is the strategic document that informs future opportunities and planning for the Park Lands.</p> <p>The <i>Adelaide Park Lands Act 2005</i> is the highest order of protection for the Adelaide Park Lands.</p> <p>The CLMP is required to reflect State Government proposals in the Park Lands.</p>	<p>No</p>

Stakeholder	Summary of Comments Submitted	Administration Comment	Refinement Recommended
	<ul style="list-style-type: none"> An option may lie in SECRA's response to the Expert Committee looking at the Planning and Design Code, suggesting that a new paradigm is required to meet this ongoing challenge. In the 1970s, an option was developed that grants natural entities such as the APL's a similar legal status to corporations, with three primary rights: legal standing, to enter contracts and to take legal action to protect themselves. Examples have occurred in Victoria (Yarra River) and New Zealand (Te Urewera and Whanganui River). This paradigm allows indigenous and local residents to change their focus from what they want from the park and begin to ask what they want for the park and how we get there with the park. 		
	<p>Better Funding</p> <ul style="list-style-type: none"> The investment of the City of Adelaide in the APL is high, not only in recurrent costs but also in the fixed costs of land and infrastructure. The expenditure for the APL is likely to increase. Some of the drivers include population change, seasonal factors, vehicle ownership rates, and the impact of climate change. As ratepayers and businesses largely support the stewardship of the APL, additional ongoing financial support is required from other sources in the context of budget constraints. The Adelaide Park Lands Fund is one such source, and the other is the Planning and Development Fund' which assists 'councils in the provision and 	<p>Noted – the City of Adelaide has previously received funding through the Planning and Development Fund for enhancements to the Park Lands. Council will continue to explore and seek funding opportunities moving forward.</p>	<p>No</p>

Stakeholder	Summary of Comments Submitted	Administration Comment	Refinement Recommended
	<p>development of public land for conservation and recreation'.</p> <ul style="list-style-type: none"> This latter fund receives significant contributions from developers in the City of Adelaide, which could assist in financing the ongoing maintenance of the Park Lands. As a ratepayer, I request that the City of Adelaide fully explore the availability and use of these funds. 		
	<p>Improved data</p> <ul style="list-style-type: none"> Many commendable reports address specific issues relating to the APL. However, there should be a transparent and coordinated data set, given their role as 'the city's crowning glory'. For example, while there are reports, plans and strategies on monitoring the use, biodiversity and heritage, water use, infrastructure and active transport, for instance, there is no single comprehensive report publicly available where all this information is integrated to provide an overall view of the APL. The current data is also incomplete, with the acknowledgement that further studies are required but lacking a forward plan or budget. Additionally, in the draft CLMP, there is no commitment to report on measures outlined in Table 1. 	<p>Noted – the centralisation of data sets is more aligned to the Adelaide Park Lands Management Strategy.</p>	<p>No</p>
	<p>I commend your efforts to provide an overarching document on the APL. I hope that you find three these observations useful.</p>	<p>Noted</p>	<p>No</p>

Stakeholder	Summary of Comments Submitted	Administration Comment	Refinement Recommended
<p>The North Adelaide Society Inc</p>	<p>Invites reconsideration of the introductory and contextual remarks on page 1. TNAS questions whether the Adelaide Park Lands (APL) are (only) “for all South Australians”. While that is axiomatic, the assertion regrettably devalues its contribution, not least because it is also for visitors and future generations; and detracts from efforts to seek world heritage and state heritage listing.</p>	<p>Noted – Proposed refinements to include “visitors and future generations”</p>	<p>Yes</p>
	<p>TNAS suggests that to assert that their “uses ... landscapes ... [and] values are as diverse as the people who enjoy them” detracts from, and diminishes, the APL as publicly accessible parklands, albeit that parklands may be utilised for diverse uses consistent with the land being, and remaining, parklands.</p>	<p>Noted – this is implied in the Draft CLMP</p>	<p>No</p>
	<p>TNAS suggests that parklands are purposefully a feature of “urban life”, rather than as a “place to escape the rigours of urban life”. Certainly, parklands provide a natural environment conducive to wellbeing within urban built form; urban life is not per se “rigorous” and requiring “escape”.</p>	<p>Noted</p>	<p>No</p>
	<p>TNAS supports the APL as “green open space” but respectfully suggests that qualitative attribute is not confined to “those who are already here” or “may encourage others”.</p>	<p>Noted</p>	<p>No</p>
	<p>TNAS outlines that a CLMP does not “ensure” what is asserted in the draft, and the “public benefit” extends beyond “the people of South Australia”. Respectfully, an opening contextual statement ought to focus on what the Adelaide Park Lands are and represent both to the City of Adelaide and Adelaide as a capital city of South Australia. In that regard, the matters addressed at para 5.2 are partially instructive.</p>	<p>Noted - Proposed refinements to include “visitors and future generations”</p>	<p>Yes</p>

Stakeholder	Summary of Comments Submitted	Administration Comment	Refinement Recommended
	<p>TNAS offers the following draft as an example of an introductory and contextual statement that is consistent with para 5.2 and sets the tone for all that follows.</p> <ul style="list-style-type: none"> • The Adelaide Park Lands (APL) are a defining and iconic feature and landmark of the City of Adelaide and its layout, for which it is nationally and internationally recognised to the benefit of South Australia. They are first and foremost parklands to be nurtured, used, and valued as publicly accessible parklands with cultural and historical significance. 	<p>Noted – this is broadly covered under section 4 – Setting the Context.</p>	<p>No</p>
	<p>Part 2 includes some legislative references that operate or impact the CLMP. Submission requests that: in addition to the state legislation to which it refers, it ought also to include reference to applicable Commonwealth legislation that operates or impacts the CLMP, namely the <i>Environment Protection and Biodiversity Conservation Act 1999</i> (Commonwealth) (EPBC Act);</p>	<p>Noted – this is more aligned to the Council’s Integrated Biodiversity Management Plan which is accessed from the CLMP via a linked document.</p>	<p>No</p>
	<p>To the extent that state legislation has been effected, or decisions have been made by state or local government, to alter the characterization of any land within the historically delineated Adelaide Park Lands, that ought to be the subject of a footnote or endnote because it is part of the context in which the community land is being managed</p>	<p>Noted – this information is broadly available on Council’s Online Community Land Register – which provides information about Park Lands Custodianship, Lease, License.</p> <p>Detailed history of the development of the Park Lands could be made available through other means. This is not the role of the CLMP</p>	<p>No</p>
	<p>Part 3 refers to “State Authorities” being required to develop “state managed areas ... excluded from this CLMP”. The CLMP should include in a footnote or endnote whether and what plans have been developed,</p>	<p>Noted – Council does not maintain a register of State Management Plans for the Park Lands, the monitoring of these plans is the responsibility of the relevant State Government Minister.</p>	<p>No</p>

Stakeholder	Summary of Comments Submitted	Administration Comment	Refinement Recommended
	and what excluded areas do not have a management plan.		
	The CLMP must in its intent, expression and operation in all respects be committed to the protection and enhancement of the Adelaide Park Lands as a globally recognised park system which surrounds and permeates the city and remains central to its identity for all time.	<p>Noted -This is broadly reflected in the purpose in which the Park Lands are held.</p> <p>Refinements have been made to include 'protect and enhance'</p>	Yes
	The statutory principles cited from the APL Act operate on their terms but are surely not the only purpose for which the Adelaide Park Lands are held.	<p>Noted - The draft CLMP references the statutory principles of the <i>Adelaide Park Lands Act 2005</i>, in stating the overall purpose for which the Adelaide Park Lands (as a system) are held.</p> <ul style="list-style-type: none"> • To provide benefit to the people of South Australia by being publicly accessible green open space • To support a diverse range of environmental, natural heritage, cultural and social values and activities • To support outdoor and community based recreational activities and events • To provide a defining feature to the City of Adelaide • To contribute to the economic and social wellbeing of the city. <p>In addition to the overall purpose for which the Adelaide Park Lands are held, each park may have a specific purpose for which it is held, outlined in the specific park management section (Section 11) of the CLMP.</p>	No
	A raft of additional purposes ought to be included arising from the experiences of historical custodianship, possession, and management and control of the park lands. For example, those purposes ought to include,	Noted – these are aspirations that can be included in the Adelaide Park Lands Management Strategy	No

Stakeholder	Summary of Comments Submitted	Administration Comment	Refinement Recommended
	<p>historical, cultural, spatial, a ‘city in a park’, ‘lungs of the city’, ‘verdant entry statements’ for the City of Adelaide, human and ecosystem wellbeing, reduction and non-expansion of “footprint”, prevention of incremental or gross reduction of the Adelaide Park Lands as parklands, rehabilitation, sustainability, evapotranspiration and spatial configuration of vegetation, return of previously sequestered land to the park lands, intergenerational benefit, and always publicly accessible.</p>		
	<p>The CLMP should include the definition of “footprint” as it appears in the Adelaide Park Lands Building Design Guidelines</p>	<p>Noted – the CLMP contains a link to the Adelaide Park Lands Building Design Guidelines</p>	<p>No</p>
	<p>Reducing heat by protecting trees, helping to mitigate the Urban Heat Island effect of surrounding urban areas due to increased urbanisation and density within the Adelaide CBD and North Adelaide in the last few years.</p>	<p>Noted – this is included within the Council’s Integrated Biodiversity Management Plan which is accessed from the CLMP via a linked document.</p>	<p>No</p>
	<p>Supporting biodiversity of plants and animals and ensuring ongoing planting to replace trees and land lost to built form.</p>	<p>Noted – this is included within the Council’s Integrated Biodiversity Management Plan which is accessed from the CLMP via a linked document.</p>	<p>No</p>
	<p>Ensuring there is open space for residents of nearby high density developments which increasingly have less private open space.</p>	<p>Noted - This is more aligned to the Adelaide Park Lands Management Strategy</p>	<p>No</p>
	<p>Every day that motorists, passengers, and others move along transport corridors into the City of Adelaide and its central business areas, they get the benefit and use of the park lands as a verdant green belt around and intersecting with the otherwise urban (and often heritage and urban) built form.</p>	<p>Noted - This is more aligned to the Adelaide Park Lands Management Strategy</p>	<p>No</p>
	<ul style="list-style-type: none"> The table is based on “Category” for which there does not appear to be any logical sequence. 	<p>Noted – There is no set order in how this may be laid out</p>	<p>No</p>

Stakeholder	Summary of Comments Submitted	Administration Comment	Refinement Recommended
	<ul style="list-style-type: none"> The table could list categories alphabetically, or based on primary use (e.g., parklands, greenspace, natural form, incidental art), other uses (e.g., built form, public art, public facilities, cultural, Kaurna), and discouraged uses (e.g., non-ancillary carparking). 		
	<ul style="list-style-type: none"> Car parking per se ought not to be included in the category of public facilities. 	Noted – Car Parking that supports the use of the Park Lands are considered to be public facilities	No
	<ul style="list-style-type: none"> The categories appear to be focused on tangibles and activities rather than the inherent and often intangible nature and values of the Adelaide Park Lands as a whole, and its constituent parks and squares. 	Noted	No
	<ul style="list-style-type: none"> The categories should be extended to include cultural and Kaurna considerations, as well as their future and inter-generational utility as parklands. 	Noted – Council is working with Kaurna to include further cultural considerations	No
	<p>The objectives should include no more incremental or gross reduction and reinstatement of past policy to shift state government activities out of the Park Lands, and to reinstate former Park Land as such.</p> <p>The objectives, targets, and measures, where they involve built form or non-natural surfaces, should:</p> <ul style="list-style-type: none"> specifically refer to low scale minimal impact ecologically sensitive and carbon neutral design, construction, and presentation, with no impairment or removal of trees (whether “significant” or otherwise) or understory; and pathways that blend into the parkland setting (e.g., the City of Adelaide could trial and develop capabilities for rammed earth or soft footfall pathways). 	<p>Noted – These comments more aligned to the Adelaide Park Lands Management Strategy and general Council policy.</p> <p>The CLMP should include information about the usage and management of what currently exists or is proposed to exist, not aspirational targets.</p>	No

Stakeholder	Summary of Comments Submitted	Administration Comment	Refinement Recommended
	<ul style="list-style-type: none"> specify that built form that is not in the nature of being very minor, temporary, or ancillary to a low scale/impact parkland use is not to be built or located on parklands, or on land that was historically or previously parklands. specify that wherever possible, the “footprint” of a structure, and any “hardstand area”, should be reduced. define ‘fit for purpose’ to be in respect of its location and context within a natural or parklands setting. 		
	<p>The park lands wide statements in the current CLMP ought to be reflected or included within this part of the draft CLMP, and park specific content ought to be read in the context of park lands wide statements.</p>	<p>Noted – park specific content is in the context of Park Lands wide statements</p>	<p>No</p>
	<p>Part 10 should be consistent with the terms and intent of the introductory and contextual statement indicated above (re: page 1).</p>	<p>Noted</p>	<p>No</p>
	<p>Subject to consideration and applicability of the content of the Park Lands Overlay in the Planning and Design Code, there should be some reasonable affinity as between that Overlay and the content of Part 10 “Overarching ...”, unless the PDC does not sufficiently reflect this Council’s custodianship and the historical experience and intent of the City of Adelaide to not to diminish the size, natural form, or purpose of the Adelaide Park Lands.</p>	<p>Noted - The CLMP should avoid confusion with the Planning and Design Code or Overlays</p>	
	<p>The description of the land, location and history should precede any current use.</p>	<p>Noted – there is no set criteria in which information should be ordered</p>	<p>No</p>
	<p>The purpose to which each park is put is as a park within the Adelaide Park Lands. The current use should not be described as its “primary” or “predominant” use. The “primary” or “predominant” use of each park within the Park Lands is as a park within the Adelaide Park Lands.</p>	<p>Noted – the Draft CLMP includes a specific purpose for each park and also include a reference to <i>5.2 Overall purpose for which the Adelaide Park Lands are held</i></p>	<p>No</p>

Stakeholder	Summary of Comments Submitted	Administration Comment	Refinement Recommended
	It may currently be used for a particular activity, e.g., golf course, vegetation rehabilitation, wetlands, but that remains a use on a part – or park – within the Adelaide Park Lands.		
	The current use/s of a park (or part) is not the purpose for which the community land is held, that is a “use” or there are uses that occur within that park. The “objective” is not to “provide” the “use/s”, rather it is to permit the use/s to occur.	Noted – this is covered by 5.2 which are broad purposes for which the Park Lands are held.	No
	That “ownership” is not required to be specified and there may be good reasons in the interests of the City of Adelaide that it make no such statement, which does not appear in the current CLMP.	Noted – Council have included this additional information for clarity.	No
	Similarly in respect of “custodian”. In any event, there is no reason to make any such repeated statement in each annexure, given that the CLMP deals with purpose and applicable statutes.	Noted – the repetition allows readers to read a single Annexure	No
	The content of appendixes seems to be somewhat too broad and be somewhat less specific and useful compared with that of the current CLMP.	Noted – the information included in the Draft CLMP is in accordance with <i>Local Government Act 1999</i>	No
	The broad statements are not conducive to community based expectations or understandings and too often result in unforeseen, unexpected, or detrimental consequences	Noted	No
	There is much to be said for much of the content in the various chapters of the current CLMP applicable to particular parks or parts of parks, which ought for the sake of clarity be replicated or adopted in the D-APLCLMP.	Noted – the Draft CLMP proposes the removal of information that is otherwise contained in other Council documents.	No
	The annexure should not include any policy statement of support for any policy position of any other level of government, which come and go as do their policies. The adoption or imposition of a state or federal	Noted – the CLMP provides for the management of community land including for State/Federal outcomes that have been approved outside of Council’s authority.	No

Stakeholder	Summary of Comments Submitted	Administration Comment	Refinement Recommended
	government policy or intent ought not be determinative of the content of a CLMP.		
	There should be added to each annexure a statement that the vegetation (trees and understorey) is to be retained and added to irrespective of whether “significant” or otherwise	Noted – this is broadly the role of the Council’s Integrated Biodiversity Management Plan which is accessed from the CLMP via a linked document.	No
	Vegetation in each park ought to be the subject of an audit and periodic ‘vegetation stocktakes’ (at least once in the review period of a CLMP).	Noted – this is broadly the role of the Council’s Integrated Biodiversity Management Plan which is accessed from the CLMP via a linked document.	No
	Interestingly, the D-APLCLMP does not appear to reflect or acknowledge that everyday tens of thousands of people move through the Adelaide Park Lands Park Land while travelling to and from the City Centre, which provides an uplifting natural vista and landscape that would not otherwise be available	Noted – this comment is more closely aligned to the Adelaide Park Lands Management Strategy	No
	Maps ought not be misleading in their colouring and presentation. Park Lands are coloured ‘green’ yet much of what is ‘green’ is not in fact greenery or natural form, it is built form or hard surfaces, which ought to be indicated as such (to do otherwise risks ‘greenwashing’).	Noted – the purpose of these maps i.e Figure 1 is not to illustrate the landscape typology or built form but to indicate the area that is included in the CLMP.	No
	Maps ought to be dated and factually represent what is ‘green’ (i.e., of natural form) and publicly accessible as parklands within the area delineated as “Park Land” and what is not. To do otherwise is to put form over substance.	Noted – this is outside the scope of a CLMP but is broadly provided in Councils online Community Land Register which shows the areas of the Park Lands which are under lease/license	No
	That issue does not arise when the map is an aerial picture of the park, which should include the source and date.	Noted	No
	Where a built form is located on a park, the CLMP should include the extent of its footprint and other structural dimensions, which should be depicted on the applicable map.	Noted – this is not the purpose of a CLMP. This information can be provided in other Council documents	No

Stakeholder	Summary of Comments Submitted	Administration Comment	Refinement Recommended
	Too often there is inconsistency between verbiage and conduct, between policy statements and implementation or action. This is no less an issue in relation to the Adelaide Park Lands, the more so when it comes to retaining, regaining, and rejuvenating parklands vegetation and canopy in place of built form and hard surfaces.	Noted	No
	Appropriate particularity and detail in the CLMP would enhance understanding, implementation, and accountability, and reduce the risk of diminution (as opposed to improvement) of the Adelaide Park Lands	Noted – the <i>Adelaide Park Lands Act 2005</i> provides the legislation to stop/reduce the risk of the diminution of the Adelaide Park Lands.	No

APPENDIX B – RESPONSE TO INDIVIDUAL COMMUNITY SUBMISSION (1)

RESPONSE TO SUBMISSION TITLED ‘SUBMISSION: ADELAIDE CITY COUNCIL PROPOSED REVISION OF THE COMMUNITY LAND MANAGEMENT PLAN FOR THE ADELAIDE PARK LANDS ZONE’ DATED 30 JULY 2023 and 6 AUGUST 2023 (LATE SUBMISSION)

Note: Due to the length of this submission, this submission has been summarised in Appendix A under Individual Community Submission (1).

30 JULY 2023 Submission

Verbatim Comments	Administrative Comment	Refinement Recommended
Summary		
<p>If this disturbing proposed revision of the Adelaide Park Lands Community Land Management Plan (CLMP) is adopted it will result in the effective compromising of the purpose and policy efficacy of one of the two key statutory policy documents required under the Adelaide Park Lands Act 2005 to guide park lands zone management direction. The gutted (and in parts highly ambiguous) version proposed by the city council in July 2023 would usher in a new and egregious period of state government and commercial exploitation of the park lands.</p>	<p>Noted - Refinements to the draft CLMP are proposed in response to the consultation and comments seeking to ensure effectiveness and clarity of policy in the CLMP.</p>	<p>Yes, refer to specific policy refinements.</p>
<p>Park lands CLMP versions have evolved twice since 1999 amendment of the Local Government Act, but this third proposed revision is exceptional in the extent of its flaws. It is stripped of previous detailed content, which deeply compromises it. Its endorsement by the city council, the ‘custodian’ of much of the park lands (74 per cent), would represent one of the most profound South Australian changes in park lands management direction via the CLMP since the passing of the Adelaide Park Lands Act 2005. (This Act features two</p>	<p>Noted - Duplication (and potential inconsistency) between the CLMP and other official documents of Council is reduced by providing links within the CLMP to those documents.</p>	<p>No</p>

Verbatim Comments	Administrative Comment	Refinement Recommended
statutory policies, one of which is the CLMP. The other is the Strategy.)		
Council's and subsequent ministerial endorsement of this proposed draft would represent a triumph of 2023 government administrative convenience – not for protection of the integrity of the park lands landscapes, but for state government or commercial built-form exploitation and benefit.	<p>Noted - A CLMP sets out Council's approach to using and managing community land on behalf of the community.</p> <p>Development is assessed under the State Government's state-wide Planning and Design Code (not the CLMP).</p>	No
This CLMP draft also proposes a breach of section 19 of the Adelaide Park Lands Act 2005 because with respect to the wording and intention relating to Park 2 it is inconsistent with the Adelaide Park Lands Management Strategy 2015–25. That statutory policy document does not contemplate demolishing the existing aquatic centre or creating an alternative (new) centre in another place in Park 2.	<p>Noted - Under the <i>Local Government Act 1999</i>, a management plan should (as far as practicable) be consistent with other relevant official plans and policies about conservation, development and use of the land. In the event of an inconsistency an official plan or policy under another Act prevails to the extent of the inconsistency.</p> <p>The Adelaide Park Lands Management Strategy 2015-25 talks to continuing to enhance the Adelaide Aquatic Centre to meet community expectations; and optimising the role of the Aquatic Centre as a state-wide sporting destination.</p> <p>State Government has undertaken a Code Amendment under the <i>Planning, Development and Infrastructure Act 2016</i>, in relation to Park 2 which sets policies for development of the land.</p>	No
There are compelling reasons to comprehensively reject this draft.	Noted - Refinements to the draft CLMP are proposed in response to the consultation and comments seeking to ensure effectiveness and clarity of policy in the CLMP	No

Verbatim Comments	Administrative Comment	Refinement Recommended
CONTEXT		
<p>It should be recorded that this July 2023 public consultation was conducted by the City of Adelaide as a matter of great urgency. Some reasons why are explored in this paper. The author of this submission has participated in many YourSay consultations over many years, and has always been notified, as a City of Adelaide ratepayer, ahead of each survey commencement date. However, in this case, a notification arrived four days short of the 31 July deadline. Discussions with city council elected members during the consultation period indicated that some also did not know that a 21-day YourSay survey period had been 'live' since 7 July, seeking feedback about a proposed major revision of this CLMP.</p>	<p>Noted - <i>The Adelaide Park Lands Act 2005</i> requires a review of the CLMP at least once in every five years. The current review is overdue.</p> <p>Consultation is in accord with Council's Community Consultation Policy and outlined under the Stakeholder Consultation section of this report.</p> <p>Council (including Committees) considered a draft consolidated CLMP on:</p> <ul style="list-style-type: none"> • 21 June 2022 • 2 August 2022 • 9 August 2022 • 4 April 2023 • 11 April 2023 <p>Kadaltilla considered a draft CLMP on:</p> <ul style="list-style-type: none"> • 28 July 2022 • 23 February 2023 <p>If the respondent is signed up to the monthly Your Say Adelaide newsletter, an additional prompt will have been received.</p>	<p>No</p>

Verbatim Comments	Administrative Comment	Refinement Recommended
1. Six critiques of council's rationales for change		
<p>Of great concern at this particular date is that this draft CLMP is being urgently revised to enable and endorse an Adelaide park lands Park 2 state government development concept, rather than the concept needing to comply with the rigour of the existing (2013) CLMP version. In other words, the existing CLMP is to be replaced so that a new version can be adopted that endorses the development proposal at Park 2. (It is also being revised to progress several other park lands development projects or project concepts currently under contemplation.)</p> <p>A number of explanatory rationales for change have been recently put forward by the city council. However, each is problematic.</p> <p>For example:</p>	<p>Noted - The <i>Adelaide Park Lands Act 2005</i> requires a review of the CLMP at least once in every five years. The current review is overdue.</p> <p>Under the Local Government Act 1999, a management plan should (as far as practicable) be consistent with other relevant official plans and policies about conservation, development and use of the land. In the event of an inconsistency an official plan or policy under another Act prevails to the extent of the inconsistency.</p> <p>The Adelaide Park Lands Management Strategy 2015-25 talks to continuing to enhance the Adelaide Aquatic Centre to meet community expectations; and optimising the role of the Aquatic Centre as a state-wide sporting destination. It does not specifically envisage a new Aquatic Centre development.</p> <p>State Government has undertaken a Code Amendment under the <i>Planning, Development and Infrastructure Act 2016</i>, in relation to Park 2 which sets policies for development of the land.</p> <p>A proposed new Aquatic Centre development by the State Government in Park 2 will be assessed by the State Commission Assessment Panel against the State Government's state-wide Planning and Design Code (not the CLMP).</p>	<p>No</p>
<p>a) This CLMP version does not deliver what council claims: 'A more wholistic management approach'. On the contrary, it delivers a significantly less wholistic</p>	<p>Noted - The draft CLMP provides extensive links to information contained in other documents rather than including extracts from these documents in the CLMP.</p>	<p>No</p>

Verbatim Comments	Administrative Comment	Refinement Recommended
<p>approach. Extensive material previously contained in the existing (2013) CLMP for the Adelaide park lands has been jettisoned. Moreover, there is no presentation to consultation respondents of this former content, or discussion as to why it has been deleted.</p>	<p>The approach reduces the overall length of the CLMP, avoids inconsistency between documents when new versions are updated and supports compliance with the CLMP.</p> <p>The consultation webpage provided links to the current CLMP and Frequently Asked Questions including the question: 'Why has Council adopted a 'one plan' approach to the CLMP for the Adelaide Park Lands'.</p>	
<p>b) Despite claims, it does not deliver 'a functional document'. By stripping the new draft of former content, it is unequivocally less functional, especially in terms of the likely risks encouraged by ambiguous provisions, as well as the vital need for protecting the park lands from propositions that could lead to exploitation of the green open spaces, and alienate the public from access to them. The lack of discussion reference to 'contemplation' content of a CLMP is of particular concern.</p>	<p>Noted - Duplication (and potential inconsistency) between the CLMP and other official documents of Council is reduced by providing links within the CLMP to those documents.</p>	No
<p>c) It does not deliver 'Reduced duplication'. On the contrary, there is continuous duplication at every park or site reference (totalling 40 sites) of the dangerously ambiguous "Purpose of the park lands" statement, which reads: "Providing facilities, furniture and amenities ancillary to park uses". This appears to be on the spurious basis that this is principal purpose of the Adelaide park lands. This is simply false.</p>	<p>Noted - Duplication (and potential inconsistency) between the CLMP and other official documents of Council is reduced by providing links within the CLMP to those documents.</p> <p>The statutory principles of the <i>Adelaide Park Lands Act 2005</i> envisage a diverse range of environmental, cultural, recreational and social values and activities, and contribution to economic and social wellbeing for South Australians.</p>	No

Verbatim Comments	Administrative Comment	Refinement Recommended
<p>d) There is no evidence provided that the draft replacement CLMP will deliver more efficient consideration by “the Adelaide Park Lands Authority, state government and council”. The outcome would not be ‘efficiency’ but simply greater flexibility for administrators, and it would arise because so much of the original content has been jettisoned, and new, highly ambiguous content has been proposed. Loss of the original material would ensure that development project proposals for the park lands would be even more easily legitimised at APLA contemplation stage and subsequent council, and later planning consent and development assessment stages (Council Assessment Panel or SCAP assessment). The proposed draft CLMP material is so dangerously ambiguous in parts that reference to it would encourage state planning park lands land-use determinations profoundly alien to the park lands green open spaces and landscapes. The key to this would be a new statement in the draft, replicated across all park sites, as the “purpose” words: “Providing facilities, furniture and amenities ancillary to park uses”. Commercial, city council and state planners would be able to base their Council Assessment Panel or State Planning Assessment Panel rationales on this statement alone, because its repetition across the whole of the draft will be seen to be the core ‘contemplation’ of the CLMP for the next five years.</p>	<p>Noted - A CLMP sets out Council’s approach to using and managing community land on behalf of the community.</p> <p>Development is assessed under the State Government’s state-wide Planning and Design Code (not the CLMP).</p>	<p>No</p>
<p>e) The council’s April 2023 CLMP draft document (the one currently subject to consultation in July), under the heading ‘Opportunities’, rationalises the 2023 draft procedure as a “stronger alignment of CLMP content</p>	<p>Noted - Duplication (and potential inconsistency) between the CLMP and other official documents of</p>	<p>No</p>

Verbatim Comments	Administrative Comment	Refinement Recommended
<p>and review processes with statutory requirements”. The words “stronger alignment” are euphemisms for a fresh but flawed reinterpretation of provisions under the Local Government Act 1999 (section 196, (1a) to (3d)) to allow for delivery of a minimalist new document, stripped of former content, and reduced to (in many cases) one-line statements claiming to address those section 196 criteria. The rationale then states: “This includes a streamlined approach to the five-yearly review process so that it can be achieved within the statutory timeline.” The rationale appears to be that, under current administration stress, process must trump content, therefore content must be stripped out of the existing CLMP, and any future CLMP, to meet future deadlines. But it is already too late for that with regard to this one. The LG Act 1999 deadline for review of the 2013 CLMP (every five years) has come and gone. The requirements under the legislation have not been met. So much for ‘streamlining’.</p>	<p>Council is reduced by providing links within the CLMP to those documents.</p> <p>The current CLMPs have not met the five-year legislative review timeframe.</p> <p>The proposed 2023 CLMP approach reduces the timeframe and resources required to deliver the comprehensive review programme by 2028.</p>	
<p>f) As noted in this submission’s summary on page 1, with respect to proposals for Park 2, this draft proposes a breach of section 19 of the Adelaide Park Lands Act 2005 because the Park 2 proposal is not consistent with the Adelaide Park Lands Management Strategy 2015–25, a requirement under the Act. That statutory policy document does not contemplate demolishing the existing aquatic centre or creating an alternative (new) centre in another place in Park 2. The existing Strategy version notes that the Park 2 aquatic centre could in future feature a “large hub around the aquatic centre”, with various recreational features including “upgraded</p>	<p>Noted - Under the <i>Local Government Act 1999</i>, a management plan should (as far as practicable) be consistent with other relevant official plans and policies about conservation, development and use of the land. In the event of an inconsistency an official plan or policy under another Act prevails to the extent of the inconsistency.</p> <p>The Adelaide Park Lands Management Strategy 2015-25 talks to continuing to enhance the Adelaide Aquatic Centre to meet community expectations; and optimising the role of the Aquatic Centre as a state-wide sporting</p>	<p>No</p>

Verbatim Comments	Administrative Comment	Refinement Recommended
<p>picnic facilities, kiosk/café and play spaces”.¹ But it does not aspire to any demolition of the existing commercial facility, or its replacement under a new lease by a major new construction project elsewhere in Park 2. In other words, the ‘rationale for change’ is based on a proposed breach of park lands legislation. The explicit wording of the proposal in the draft CLMP appears in Appendix 1 of this submission.</p>	<p>destination. It does not specifically envisage a new Aquatic Centre development.</p> <p>State Government has undertaken a Code Amendment under the <i>Planning, Development and Infrastructure Act 2016</i>, in relation to Park 2 which sets policies for development of the land.</p> <p>A proposed new Aquatic Centre development by the State Government in Park 2 will be assessed by the State Commission Assessment Panel against the State Government’s state-wide Planning and Design Code (not the CLMP).</p>	
<p>2. Introduction to submission themes</p>		
<p><u>Key source document:</u></p>		
<p>This response is based on the ‘April 2023’ YourSay CLMP draft, as supplied online on 7 July 2023 in conjunction with the YourSay consultation feedback form (as reproduced in Appendix 3 of this submission).</p> <p>The City of Adelaide’s proposal is an urgent attempt to create and have endorsed a significantly revised statutory park lands policy instrument, notwithstanding that the legal deadline for the CLMP review has already passed. It was a deadline set under the Local Government Act 1999 (‘comprehensive review’ every five years). That five-year period has passed. This indicates a breach of the Act.</p>	<p>Noted – The CLMP was originally endorsed by Council for community consultation in 2022, however due to State Government developments within the Park Lands, that materially impact some Park Lands areas made refinements to reflect State Government decisions.</p>	<p>No</p>

Verbatim Comments	Administrative Comment	Refinement Recommended
<p>If endorsed, the draft would encourage major future damage to the landscape integrity of the Adelaide park lands. Its new brevity introduces comprehensive <u>ambiguity</u>, which could significantly lead to the compromising of the rigour of existing management directions of the Adelaide park lands. This is a deeply flawed draft CLMP.</p>	<p>Noted - Refinements to the draft CLMP are proposed in response to the consultation and comments seeking to ensure effectiveness and clarity of policy in the CLMP.</p>	<p>Yes, refer to specific policy refinements.</p>
<p>Key aspects</p>		
<p>PUBLIC CONSULTATION</p> <ul style="list-style-type: none"> • Critical explanatory background was lacking in the YourSay background material. • There was inadequate explanation of the complexity of the legal and administrative purpose of a CLMP. • No current version (ie the existing 2013 version) was provided to allow comparison by respondents to illustrate the substantial deletion of previous content, and extent of change proposed. This approach thus concealed what is a very substantial replacement of much of the former CLMP content. This reflects a disingenuous council procedure. • There was no detailed discussion of critical related policy likely to emerge in a 2023 anticipated revision of the 30 Year Plan for Greater Adelaide, which may well inform likely future amendments to the CLMP for the Adelaide park lands zone – including this draft. 	<p>Noted - The consultation package included:</p> <ul style="list-style-type: none"> • Explanatory information • Frequently Asked Questions • Link to legislation • Link to current CLMP documents • Draft CLMP • Link to other related projects including the Adelaide Aquatic Centre Redevelopment: Construction Licence and Lease Agreement (Denise Norton Park / Pardipardinyilla (Park 2)) • Administration contact details for further information • Submission form • Multiple options to provide feedback. <p>The 30 Year Plan for Greater Adelaide is a State Government document. State Government consultation on a new Regional Plan for Greater Adelaide is not expected to commence until 2024.</p>	<p>No</p>

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<p>CONTENT</p> <ul style="list-style-type: none"> • Council’s administration has relied on a flawed judgement about the interpretation of key legislation (the Local Government Act 1999) as a basis for this revision and drew on statutory principles of the Adelaide Park Lands Act 2005 to rationalise the change. • The proposed CLMP has been stripped of most previous content, which has been critical to land-use determinations since 2013. • The proposed draft will effectively trash the clarity and efficacy of an existing statutory policy document (the 2013 CLMP) arising from the Adelaide Park Lands Act 2005, used to guide future management direction of park lands zone matters. 	<p>The <i>Adelaide Park Lands Act 2005</i> requires a review of the CLMP at least once in every five years. The current review is overdue.</p> <p>The <i>Adelaide Park Lands Act 2005</i> requires a person or body responsible for the care, control or management of any part of the Adelaide Park Lands to have regard to, and seek to apply, the principles set out in the Act.</p> <p>Duplication (and potential inconsistency) between the CLMP and other official documents of Council is reduced by providing links within the CLMP to those documents.</p> <p>Development is assessed under the State Government’s state-wide Planning and Design Code (not the CLMP).</p> <p>Refinements to the draft CLMP are proposed in response to the consultation and comments seeking to ensure effectiveness and clarity of policy in the CLMP.</p>	<p>Yes, refer to specific policy refinements.</p>
<p>BACKGROUND DISCUSSION</p>		
<p>3. Environmental/political context as at July 2023</p>		
<p>The following explanation ought to have been provided during the July 2023 public consultation phase. It was not. This represents a fundamental failure of due process in local government public consultation procedure.</p> <p>The 30 Year Plan for Greater Adelaide</p>	<p>Noted - The <i>Adelaide Park Lands Act 2005</i> requires a review of the CLMP at least once in every five years. The current review is overdue.</p> <p>The 30 Year Plan for Greater Adelaide is a State Government document. State Government consultation on a new Regional Plan for Greater Adelaide is not expected to commence until 2024.</p>	<p>No</p>

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<p>This CLMP draft emerges at a critical time, and the timing of its release illustrates the funk in which city council administration finds itself. It is self-induced. The state government’s 30 Year Plan for Greater Adelaide is overdue for comprehensive updating. This plan traditionally includes visions and aspirations for park lands management directions over the next decade. Its contents will influence the evolution of government policy and evolution of statutory park lands documentation under the Adelaide Park Lands Act 2005. These comprise the Adelaide Park Lands Management Strategy (APLMS) and the Community Land Management Plan (CLMP), via the interacting Local Government Act 1999.</p> <p>Under the 2005 legislation, a CLMP for the park lands must be ‘consistent’ with the APLMS. The draft currently subject to public consultation in some sections is not. Thus, until the city council properly revises and consults on a new version of the Adelaide Park Lands Management Strategy 2015–2025, it is obviously too early to amend the CLMP. The real impetus to radically amend the CLMP is a local government panic to satisfy fresh state government development project demands, especially in some parks. Park 2 is one. That the amendment to the CLMP is occurring ahead of revisions to the 30 Year Plan is a sign of this current level of panic.</p> <p>Curiously, there is no mention in the YourSay consultation background information of the looming demands involved in updating the 30 Year Plan, which future content will dictate the primary ‘visionary’ action-</p>	<p>The Adelaide Park Lands Management Strategy 2015-2025 (endorsed in 2018) is currently undergoing its comprehensive review.</p> <p>Under the <i>Local Government Act 1999</i>, a management plan should (as far as practicable) be consistent with other relevant official plans and policies about conservation, development and use of the land. In the event of an inconsistency an official plan or policy under another Act prevails to the extent of the inconsistency.</p> <p>The proposed 2023 CLMP approach reduces the timeframe and resources required to deliver the comprehensive review programme by 2028. Changes to individual parks can be consulted on if required.</p>	

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<p>plan directions likely to appear in a future version of the Strategy, and the future management directions and contemplations of a revised CLMP.</p> <p>To introduce additional irony, preliminary discussions about the contents of the park lands aspects in the proposed new 30 Year Plan at Capital City Committee level remain secret under the City of Adelaide Act 1998, and any resolutions and documentation arising from those discussions and shared with the city council must also remain secret under that legislation. The public's right to know is, under that Act, nil and without provision for appeal. It is in this almost farcical context that the city council is urgently driving public consultation on this deeply flawed draft CLMP.</p>		
<p>4. The purpose of a CLMP</p>		
<p>The July 2023 consultation package fails to adequately explain to respondents the purpose of a CLMP. This is a significant failure of due process in local government public consultation procedure.</p>	<p>Noted - The introductory text for the consultation stated: 'This document [CLMP] identifies how this land will be used and managed.'</p> <p>The consultation package included Frequently Asked Questions, which stated: 'Community Land Management Plans (CLMPs) show the way in which the land is to be used, considering a diverse range of recreation, conservation and other issues like sports grounds and areas of cultural significance.'</p> <p>The purpose of a CLMP is set out on page 1 of the document under the title 'What is a Community Land Management Plan' which states: 'A Community Land Management Plan sets out Council's approach to using</p>	<p>No</p>

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	and managing community land on behalf of the community.’	
<p>A CLMP for the Adelaide park lands is intended under the Local Government Act 1999 to be a definitive legal guideline setting out the future management directions of much of the public land under the city council’s custodianship and tenure, land in the Adelaide Park Lands Plan, the park lands as we know it today.² It is not an ‘action plan’. That role falls to the Adelaide Park Lands Management Strategy.</p>	<p>Noted - The content of the CLMP is legislatively prescribed.</p> <p>Councils are required to manage community land in accord with the relevant CLMP and otherwise risk legal exposure.</p> <p>Strategic and project planning for the Park Lands is through the Adelaide Park Lands Management Strategy.</p>	No
<p>The council’s first CLMPs for the park lands began to emerge in 2005, as a result of a city council determination in 2003 to abide by amendments to the LG Act 1999. A December 2003 council brochure introducing the public to the idea of CLMPs for the park lands noted the intent behind them, including “enhancement and preservation of cultural, recreational and environmental values” and “forward planning for capital works and maintenance.”³ A CLMP should set out, in fine detail, the future management directions envisaged for each precinct, park or site of the Adelaide Park Lands zone under management by the City of Adelaide. (This proposed 2023 draft identifies annexures for 40 sites, and figures for 42.)</p> <p>Importantly, it also must reflect any future ‘contemplations’ for those sites (especially in development terms) such as capital works and maintenance, and existing and future likely leases, potentially allowing for new building, infrastructure and</p>	<p>Noted - The draft CLMP contains content prescribed by the <i>Local Government Act 1999</i>.</p> <p>Since the introduction of a legal requirement to prepare a CLMP, additional changes have occurred including:</p> <ul style="list-style-type: none"> • Introduction of the <i>Adelaide Park Lands Act 2005</i> which requires preparation of the Adelaide Park Lands Management Strategy (strategic focus and including future use of the Park Lands). • Requirement for 10-year asset management plans to be prepared by Council (arising from <i>Local Government (Financial Management and Rating) Amendment Act 2005</i>) • Supreme Court ruling on content and interpretation of CLMPs (which supports strict adherence to the alignment with prescribed content). 	No

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<p>ancillary facilities development, or existing facilities redevelopment. This 'contemplation' function is a critical CLMP aspect influencing future management determinations over the life of the CLMP, as a guide to park lands zone administrators. Unfortunately, this function is commonly the least-understood feature of the use of CLMPs for the park lands. Few local government elected members understand it, and even fewer members of the public do.</p>	<p>The CLMP is to be consistent with the Adelaide Park Lands Management Strategy and provides relevant links to Council's Asset Management Plans.</p>	
<p>A further complexity is the notion relating to an absence of 'contemplation', because that is just as valid. No contemplation means that there is no basis to consider, in management direction terms, new ad hoc development or lease concepts. In the past, the city council has occasionally unwisely pursued revisions of CLMPs during the plans' five-year shelf life to get around this challenge, and to introduce new 'contemplations' that did not exist at the time. They were commonly contemplations for ill-advised built forms or lease proposals not conducive to protecting the park lands landscapes. Some of them would have led to access restrictions and long-term alienation of the public from the park lands. (An example in 2017 was a concept for a helicopter landing site in Helen Mayo Park, west of Montefiore Road (Park 27).) It failed, for the obvious reason that a CLMP's 'lack of contemplation' meant that there was no policy support for the proposal, or for a lease to enable it. This highlights a key role played by CLMPs under the legislation.</p>	<p>Noted - The draft CLMP aims to provide policy clarity about envisaged uses and management of the land. This is done in the context of the content prescribed by the <i>Local Government Act 1999</i>.</p> <p>A CLMP is required to provide information on Council's policies for the granting of leases or licences over any part of the Park Lands.</p>	<p>No</p>

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<p>The 2017 episode is once again repeating in July 2023, given that the principal impetus behind the urgency to consult on and endorse the April 2023 draft CLMP is to ensure that a major development proposal for Park 2 (aquatic centre) is quickly progressed, as well as a proposal for a lease, in line with a very tight state government construction schedule.</p>	<p>Noted - The <i>Adelaide Park Lands Act 2005</i> requires a review of the CLMP at least once in every five years. The current review is overdue.</p>	<p>No</p>
<p>CLMP matters are further discussed below, because in the proposed July 2023 draft at least one new and very broad 'contemplation' has been created and embedded across the draft, which would deliver significant future negative consequences (see heading 13 below: 'New, embedded 'contemplation' statement'.)</p>	<p>Noted - The draft CLMP aims to provide policy clarity about envisaged uses and management of the land. This is done in the context of the content prescribed by the <i>Local Government Act 1999</i>.</p>	<p>No</p>
<p>Apart from 'contemplations', a competently crafted CLMP must acknowledge and explore the 'state of play' across the council-tenured sites in the Adelaide Park Lands Plan; for example, each park's (or unnumbered site's) cultural history, heritage matters and issues, landscape zones and landscape typologies, among many other matters. A reference to previous CLMP versions (for example, the current chapters in the existing 2013 version) will illustrate that this detail must be accessible in a CLMP, and at all times avoiding any ambiguity, because future arising land-use proposals will depend on the accuracy and precision of the information record.</p> <p>The current proposed CLMP comprehensively fails this test. The matter of ambiguity is further addressed below.</p>	<p>Duplication (and potential inconsistency) between the CLMP and other official documents of Council is reduced by providing links within the CLMP to those documents.</p> <p>Refinements to the draft CLMP are proposed in response to the consultation and comments seeking to ensure effectiveness and clarity of policy in the CLMP.</p>	<p>Yes, refer to specific policy refinements.</p>

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<p>5. Interpreting the legislation – Council has relied on a flawed judgement driving the interpretation of key legislation as a basis for this revision</p>		
<p>Unfortunately, the section 196 provisions allowing for evolution of a CLMP under the Local Government Act 1999 (sub sections 1a to 3e) are rather general, and leave room for broad administrative interpretation when a CLMP revision is being contemplated. This is illustrated in the draft version currently being publicly consulted. The draft highlights the outcome of a fresh and substantial council reinterpretation of some of those LG Act 1999 provisions. This interpretation has delivered a flawed draft CLMP version.</p> <p>The council has, for the first time, determined to use the statutory principles of the Adelaide Park Lands Act 2005 as a basis to rationalise a wholesale amendment of the existing 2013 CLMP version under section 196 of the Local Government Act 1999.4 It has used these principles, which arise from the Adelaide Park Lands Act 2005. Flaws arising from this approach include:</p> <p>i. This is a new initiative legitimising a deliberate pursuit of greater apparent brevity but also leading to significant policy ambiguity, the evidence for which is substantial when one examines the proposed draft CLMP. By “deriving [the overall purpose] from the statutory principles” of the Adelaide Park Lands Act 2005 (Part 5) the council’s administration has made an error of judgement. (Moreover, the city council has not flagged to YourSay respondents of how radically different is this approach in the history of the evolution of park lands CLMP versions since 2005. This is a</p>	<p>Noted - A CLMP must state the purpose for which the land is held by Council.</p> <p>The <i>Adelaide Park Lands Act 2005</i> requires a person or body responsible for the care, control or management of any part of the Adelaide Park Lands to have regard to, and seek to apply, the principles set out in the Act.</p> <p>The draft CLMP references the statutory principles of the <i>Adelaide Park Lands Act 2005</i>, in stating the overall purpose for which the Adelaide Park Lands (as a system) are held.</p> <ul style="list-style-type: none"> • To provide benefit to the people of South Australia by being publicly accessible green open space • To support a diverse range of environmental, natural heritage, cultural and social values and activities • To support outdoor and community based recreational activities and events • To provide a defining feature to the City of Adelaide • To contribute to the economic and social wellbeing of the city. <p>In addition to the overall purpose for which the Adelaide Park Lands are held, each park may have a specific purpose for which it is held, outlined in the specific park management section (Section 11) of the CLMP.</p> <p>For example, in addition to the overall purpose for which the Adelaide Park Lands are held, Golden Wattle</p>	<p>No</p>

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<p>procedural failure.) Amateur readers may falsely assume that this interpretation is a continuation of existing council policy, but it is not.</p> <p>ii. The Adelaide Park Lands Act 2005 statutory principles serve as broad-brush and at times ambiguous ‘motherhood’ statements as the philosophical adjunct for the reading of the ‘action-plan’ Adelaide Park Lands Management Strategy. Some principles are more ambiguous than others. Most critically, they were never proposed to be the legal and philosophical foundation influencing the management directions of a future CLMP under the Local Government Act 1999 legislation, brought into operation six years before the APL Act 2005. The principles were never inserted into the APL Act 2005 to guide and define the express purpose of a CLMP as prescribed under the older LG Act 1999. There are serious risks inherent in this simplistic approach, but the city council’s administration appears to be indifferent to them. An example follows, especially with respect to one particular principle.</p> <p>iii. Statutory principle (d) states that “the Adelaide park lands provide a defining feature of the City of Adelaide and contribute to the economic and social well-being of the city ...” The fact that this occurs does not mean, and never did mean, that a key purpose of the park lands under a CLMP management direction is to “contribute to the economic and social well-being of the city”.⁵ No legislation requires this view – an economic imperative. The council’s ‘deriving exercise’ takes a general and ambiguous principle (the product of the</p>	<p>Park / Mirnu Wirra (Park 21W) is held for the purpose of:</p> <ul style="list-style-type: none"> • Providing for informal recreation, in the form of the Lundie Gardens and a playspace • Providing sporting fields • Protecting the Key Biodiversity Area in this park • Providing facilities, furniture and amenities ancillary to park uses • Providing a section of the Park Lands Trail. 	

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<p>APL Act 2005) and turns it into an outcomes-focused CLMP requirement (under the LG Act 1999), prescribing a specific economic ‘purpose for which the [park lands] land is held’. While Adelaide park lands activity might at times socially “contribute” in various ways through events and recreational activities, those aspects do not turn the “contribution” into an economic requirement, a defined purpose. Former CLMPs for the park lands never prosecuted this view and most certainly did not capitalise on the principles from the APL Act 2005 to derive the purpose for which the land is held. It should not be prosecuted now. In summary, council’s fresh interpretation of section 196 the LG Act 1999 is misguided. So is the arising July 2023 CLMP draft.</p>		
<p>6. Proposed new version is riddled with ambiguity</p>		
<p>This draft CLMP is riddled with ambiguity, and largely stripped of the previous CLMP’s critical detail. It is also comprehensively lacking in vital former links references as well as explanatory material regarding associated management documentation (park lands custodian city council, and state departments). Despite its apparent brevity, it is not user-friendly, and in its stripped-back form will significantly mislead readers as to the authentic purpose of a CLMP. Reference to it in this form would have high potential to deliver consequences contrary to the previous long-standing monitoring and management of the open-spaces and the cultural history and landscape integrity of the Adelaide park lands over the coming years. This has been a</p>	<p>Duplication (and potential inconsistency) between the CLMP and other official documents of Council is reduced by providing links within the CLMP to those documents.</p> <p>Refinements to the draft CLMP are proposed in response to the consultation and comments seeking to ensure effectiveness and clarity of policy in the CLMP.</p>	<p>Yes, refer to specific policy refinements.</p>

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<p>fundamental management direction focus implied in each of the previous two CLMP versions. Remember – it is not a development plan. But respondents familiar with such plans (or the relatively new Planning and Design Code) could be forgiven for assuming that this draft CLMP is morphing into a companion document to the Code.</p>		
<p>7. The extent of the loss of former detail</p>		
<p>The consultation approach fails to compare and contrast this new draft with the previous 2013 CLMP chapters. This represents a major failure of due process in transparency terms. The absence of this information obscures the extent of change proposed. Respondents are unable to comprehend this extent. They are literally ‘flying blind’ as they attempt to form an opinion about the contents of the new draft. A comparison between the (existing) 2013 CLMP chapters and this proposed July 2023 draft illustrates the extent of proposed change. Administrators have deleted critical ‘Directions’ content, including:</p> <ul style="list-style-type: none"> • Desired Future Character statements for each park or site. • ‘Challenges and Opportunities’ statements. • The former detailed ‘Management Directions’ for each park or site. <p>This severely weakens the integrity of what an authentic CLMP ought to present, and compromises its capacity to advise readers of detail not provided in any</p>	<p>Noted - The draft CLMP contains content prescribed by the <i>Local Government Act 1999</i>.</p> <p>Since the introduction of a legal requirement to prepare a CLMP, additional changes have occurred including:</p> <ul style="list-style-type: none"> • Introduction of the <i>Adelaide Park Lands Act 2005</i> which requires preparation of the Adelaide Park Lands Management Strategy (strategic focus and including future use of the Park Lands). • Requirement for 10-year asset management plans to be prepared by Council (arising from <i>Local Government (Financial Management and Rating) Amendment Act 2005</i>) • Supreme Court ruling on content and interpretation of CLMPs (which supports strict adherence to the alignment with prescribed content). <p>The CLMP is to be consistent with the Adelaide Park Lands Management Strategy and provides relevant links to Council’s Asset Management Plans.</p>	<p>No</p>

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<p>other park lands statutory policy instrument. This especially applies in relation to those accessing the draft CLMP to explore future park or site land-use ‘contemplations’, including lease proposals. This is one of the fundamental purposes of a CLMP.</p>		
<p>The deletion of formerly critical CLMP material has been comprehensive. For example, there is:</p> <ul style="list-style-type: none"> • No stated ‘vision’ for each park or park lands site. • No analysis of each park lands’ park or site landscape zones. • No detailed overview of each site (no background cultural history, minimal analysis of existing users, and no reference to leases or sub-leases).⁶ • No General Features of Significance. • No Features of Kaurna Significance. • No Features of European significance. • No reference to National Heritage values of the place. • No express details or links as to what land uses may be contemplated under any existing or proposed Master Plans – or not. • No guide for investment priorities. • No explicit reference to existing buildings at the park lands park or site. • No reference to Community Values, Methodology and Summary, or Cultural Landscape features (with 	<p>Strategic and project planning for the Park Lands is through the Adelaide Park Lands Management Strategy.</p> <p>The draft CLMP contains content prescribed by the <i>Local Government Act 1999</i>.</p> <p>The draft CLMP provides park specific context and static maps with key features for each Park. Administration will explore the ability to convert static maps to the online mapping tool (Community Land Register).</p> <p>The draft CLMP includes sections on</p> <ul style="list-style-type: none"> • Kaurna and Cultural heritage significance including a link to the Council-commissioned Cultural Assessment. • City of Adelaide Strategies, Policies and Plans which including links to all documents. • National Heritage. <p>To assist with navigation of the Cultural Landscape Assessment, the online document will be bookmarked and links included in Park specific information.</p>	<p>Yes, online maps pending technical review</p>

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<p>exception to Parks 7 and 8), or Vegetation elements, or Spatial Arrangements, or Historical Views and Aesthetic Qualities.</p>		
<p>8. Other critical material deleted</p>		
<p>Compared to the previous (2013) CLMP chapters, there are no explicit references to critical matters such as park lands component types; overall patterns of landscape; spatial organisation; land uses, response to natural features, circulation networks, boundary demarcations, vegetation, structures, small-scale elements, and historical views and aesthetic qualities. With two exceptions in this current consultation package (Parks 7 and 8) there is now no link reference to previous, council-commissioned Cultural Landscape and Assessment scholarship. This is a significant deficit.</p>	<p>The Adelaide Park Lands Management Strategy 2015-2025 contains an assessment of landscape types.</p> <p>The draft CLMP provides park specific context and static maps with key features for each Park. Administration will explore the ability to convert static maps to the online mapping tool (Community Land Register).</p> <p>The draft CLMP includes sections on</p> <ul style="list-style-type: none"> • Kaurana and Cultural heritage significance including a link to the Council-commissioned Cultural Assessment. • City of Adelaide Strategies, Policies and Plans which including links to all documents. 	<p>Yes, online maps pending technical review</p>
<p>9. Key links jettisoned, explanatory material lacking</p>		
<p>When the council created its 2013 CLMP, multiple links were included in an appendix reference attached to each park or site page. However, in the proposed new 2023 draft, this reference has now been jettisoned. No information-rich appendix pages appear at any of the proposed 40 park or site 'annexures'. Links have also been reduced to a bare minimum. A critical link that ought to appear for each park or site includes reference to the 2007 council-commissioned documentation by Dr</p>	<p>The draft CLMP contains a link to the study referenced: The Adelaide and Park Lands & Squares Cultural Landscape and Assessment Study 2006.</p> <p>Individual links to the study can be included in the Park specific sections of the draft CLMP.</p> <p>To assist with navigation of the Cultural Landscape Assessment, the online document will be bookmarked and links included in Park specific information.</p>	<p>Yes</p>

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<p>David Jones, (through) Adelaide Research and Innovation Ltd, University of Adelaide, The Adelaide and Park Lands & Squares Cultural Landscape and Assessment Study 2006, published in October 2007. This was commissioned to inform the first versions of the CLMP, to 2009, and continued through a link to inform the 2013 version. The material richly informed that first version, across all parks. In 2013, in an updated CLMP, reference was more restricted, but it was still there. In this 2023 proposed version, reference has been almost totally deleted. This is a retrograde step. So-called ‘simplification of documentation’ has a high cost – loss of critical cultural landscape reference.</p> <p>Moreover, with respect to Dr Jones’ scholarship, a simple link is in practice not sufficient. In an authentic CLMP (as evidenced with the original version and the updated version in 2013), each link ought to be highly specific, given that the Jones reference comprises six lengthy volumes. The link must first be prefaced with explanation, and the link itself ought to lead directly to the related material – for every park or site. None of this is evident in the proposed July 2023 draft.</p>		
<p>10. Negative consequences inevitable</p>		
<p>In pursuing an apparent need for brevity (‘simplification’), the council author(s) ensure that this CLMP draft delivers a statutory document stripped of critical detail, wallowing in ambiguity, and ripe for very wide interpretation, especially by planners.</p>	<p>Refinements to the draft CLMP are proposed in response to the consultation and comments seeking to ensure effectiveness and clarity of policy in the CLMP.</p>	<p>Yes, refer to specific policy refinements.</p>

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11. Draft would lead to planning-related assessment traps		
<p>Stripping the new draft of former detail will only serve to encourage commercial and state-based actors and agencies seeking to exploit the park lands, especially to pursue opportunity for construction of future built form, including permanent built form, as well as associated new leases, which in some cases would have the potential to alienate South Australians from access to the green, open spaces of their park lands.</p>	<p>Noted - A CLMP is required to provide information on Council's policies for the granting of leases or licences over any part of the Park Lands; and on any arrangements or restrictions to public use.</p>	<p>No</p>
12. The Planning and Design Code		
<p>Lack of reference in the draft CLMP to the Planning and Design Code (and therefore lack of reference to its Principles of Development Control and Deemed to Satisfy (character) relating to park lands zone land) is a significant omission. Major amendments to that code in 2021 now mean that there ought to be explicit CLMP references to various sites. They include Frome Park land-use (new school expansion and land tenure transfer by the city council, proposed in July 2022 and endorsed in October 2022, but still evidently not completed as indicated in the April 2023 CLMP draft), as well as to Park 20 where a 2018 land-use proposal by Pulteney Grammar put to council in that year remains unresolved. Of greatest contemporary concern is lack of Planning and Design Code amendment reference to Park 2, and the sub-zone provisions now applying to that site (the Aquatic Centre and car park).</p>	<p>Section 7 of the draft CLMP references relevant legislation including the <i>Planning, Development and Infrastructure Act 2016</i>, and Planning and Design Code.</p> <p>Code Amendments that have resulted in significant changes to Park Land areas such as Frome Park and Park 2 are reflected in the Park specific sections of the draft CLMP.</p> <p>Proposals for Park 20 can be considered against the purpose for which the land is held.</p>	<p>No</p>

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<p>The purpose behind this recommendation is to stress that the draft CLMP is not the Code, and the Code is not the CLMP. In other words, the distinction between the two ought to be clearly explained in the CLMP. Future interpreters of the next CLMP version may not otherwise comprehend this.</p>		
<p>13. New, embedded ‘contemplation’ statement (‘ancillary’ and ‘facilities’)</p>		
<p>An ambiguous new statement has been introduced to this draft CLMP, and it repeats across the document, under each of the 40 references to parks or sites. It reads: “Providing facilities, furniture and amenities ancillary to park uses”. This did not appear in previous CLMPs as an embedded, universal ‘contemplation’ and it should not appear in this CLMP. Alarming, this sentence is stated in the draft as the “Purpose for which the land is held”. Then, in repeated park or site references, the ‘Management Proposals’ are stated to “support proposals that are consistent for which the land is held”. This delivers a circular proposition – that the Adelaide park lands are in future to be a site focused on the provision of “facilities, furniture and amenities” because that is (apparently) the purpose of the land. This is not only wrong, but highly misleading because it implies that the CLMP is some sort of development plan (or in the current language, a version of a planning code). This ‘contemplation’ focus falls on what is defined as ‘development’ under the 2016 state planning legislation.⁷ However, it is alien to the future management direction for the Adelaide park lands. It should not be focused on what is essentially a Planning</p>	<p>Noted - Council provides facilities, furniture and amenities in the Parks Lands. The intent of the draft CLMP is to note that these facilities, furniture and amenities are secondary to Park Lands uses.</p> <p>A CLMP sets out Council’s approach to using and managing community land on behalf of the community.</p> <p>Development is assessed under the State Government’s state-wide Planning and Design Code (not the CLMP).</p>	<p>No</p>

Verbatim Comments	Administrative Comment	Refinement Recommended
<p>and Design Code function. Instead, the focus should be on presenting a park lands management-direction statutory guideline, mapping (among other things) leases across the park lands, not simply a guideline enabling allowances for “facilities, furniture and amenities ancillary to park uses”. But the draft at July 2023 claims that this is the “purpose for which the land is held”.</p> <p>If this statement is retained for each of the 40 parks or sites, the planning-related consequences could be profound, because it would be seen as the CLMP’s principal ‘contemplation’ and, as such, would be widely exploited in subsequent planning assessment contexts. This is because of the explicit wording. Two arising planning-related consequences of the wording are important to comprehend.</p> <p>a) The word ‘ancillary’ is a widely exploited legal planning term, and since 2005 has led to park lands determinations approving permanent park lands infrastructure developments. (The state’s 2018 construction of the Adelaide Oval Hotel capitalised on this term at approval stage, as did the city council’s 2020 Oval No 2 car park monetisation allowances for the exclusive benefit of the Adelaide Oval Stadium Management Authority – otherwise known as Adelaide Oval SMA Ltd.) On the basis of the past 15 years’ planning-related history of the park lands, it is clear that ‘ancillary’ allowances are commonly alien to a broad philosophical commitment to protection of the landscape</p>		

Verbatim Comments	Administrative Comment	Refinement Recommended
<p>character and the green open spaces of the land included the Adelaide Park Lands Plan. A CLMP's purpose is not to present a legal 'trigger' mechanism simply by implying that land within the Adelaide Park Lands Plan has as its principal purpose of "Providing facilities, furniture and amenities ancillary to park uses". But that is what is proposed in this draft of the CLMP for every park or other site as their "purpose".</p> <p>b) b) The term 'facilities' in planning terms embraces park lands development concepts that in the recent past have manifested as large-scale built form at park lands sites. They include a now-completed \$535m redevelopment of the Adelaide Oval; a \$40m Torrens Lake footbridge; a \$2.4b Royal Adelaide Hospital, a \$42m hotel attached to the eastern wall of the oval, and a 2019 \$100m Adelaide Botanic High School (which now includes a very recently approved (January 2022) \$98m extension tower to the school to intrude on park land never previously contemplated for construction of multi-storey built form). The concept of "facilities and amenities ancillary to park users" is sufficient planner-speak for a very wide range of developments legitimised under the March 2021 Planning and Design Code (as amended again in late 2021 to deliver rezoning of some sites in the park lands zone, and likely to be amended in future years, almost certainly for the same purpose).</p>		

Verbatim Comments	Administrative Comment	Refinement Recommended
14. “Overarching objectives, targets and measures for the Adelaide park lands” – Eight additional reasons why this draft is flawed		
<p>1) The author(s) of the new draft have created 11 new “overarching objectives, targets and measures for the Adelaide park lands” (Section 10, Table 1, commencing on page 13 of the draft). They cover everything from events, to biodiversity, to heritage landscapes (among other things). These are all based on the content of various council guidelines and plans, including the Adelaide Event Guidelines, a Biodiversity Management Plan, a Cultural Landscape Assessment, and various council Asset Management Plans (among other documents). In the proposed draft, this approach turns the council’s previous CLMP management procedure on its head. Over the past 15 years, the content of the CLMP for the park lands drove the creation and evolution of council guidelines and plans. But now the council seeks to reverse this, such that council guidelines and plans are to drive the contents of the CLMP. If this bizarre approach is taken seriously, logic tells us that when council amends any of the policy documentation, the CLMP objectives, targets and measures will also have to be amended. And if so, sections of any existing version of the CLMP will be made redundant and need to be revised and replaced, through the statutory public consultation process. However, and alternatively, the proper approach, as it was in the past, is that the CLMP rigour defines the need for documentation, as well as the content of that documentation. The guidelines and plans</p>	<p>Noted - Under the <i>Local Government Act 1999</i>, a management plan should (as far as practicable) be consistent with other relevant official plans and policies about conservation, development and use of the land. In the event of an inconsistency an official plan or policy under another Act prevails to the extent of the inconsistency.</p> <p>Duplication (and potential inconsistency) between the CLMP and other official documents of Council is reduced by providing links within the CLMP to those documents.</p>	<p>No</p>

Verbatim Comments	Administrative Comment	Refinement Recommended
<p>documentation noted above have no statutory status. But the CLMP does.</p>		
<p>2) Of the 11 “objectives and targets and measures” proposed in Table 1 in the CLMP draft (page 13), some are very poorly thought through, with at times unclear ‘Target’ details, and illogical relationships reflected in the related ‘Measures’. For example, in relation to “National Heritage Listing” the “Objective” is to “preserve the National Heritage Listing”. This implies that the future of the commonwealth legislation (2008) is under some doubt, which is simply false. The “Target” is stated as creation of a “National Heritage Management Plan” whose purpose is not explained. The “Measure” is the same as the “Target”. Similar muddy thinking appears in relation to a number of other objectives, targets and measures.</p>	<p>Noted - The draft CLMP includes multiple references to the National Heritage Values of the Park Lands. A National Heritage Place should have a Management Plan in place under the Commonwealth legislation to improve its preservation. The Management Plan then has a statutory timeframe of five years.</p> <p>The Objective, Target and Measure in the draft CLMP states:</p> <p>Objective: To preserve the National Heritage Listing</p> <p>Target: A National Heritage Management Plan for the City and Adelaide Park Lands is developed by December 2023</p> <p>Measure: A National Heritage Management Plan for the city and Adelaide Park Lands is in place by December 2023 and reviewed every five years thereafter</p>	<p>No</p>
<p>3) Two “objectives and targets and measures” are particularly offensive, ill-fitting for a CLMP, and wide open to commercial and state planner and executive government exploitation. (1) “Commercial activities” (‘Objective 03’) and (2) “Public facilities, furniture and amenities” (‘Objective O11’). With regard to (1), at no time in the past has a CLMP document ever contemplated (as found in Section 10) “supporting commercial activities ...” or citing targets that encourage “a range of commercial offerings ...” or allowed for no auditing procedure for up to five years. A</p>	<p>Noted - Council provides facilities, furniture and amenities in the Parks Lands. The intent of the draft CLMP is to note that these facilities, furniture and amenities are secondary to Park Lands uses.</p> <p>Use of community land for business purposes is subject to provisions of the <i>Local Government Act 1999</i>. The council cannot approve the use of community land for a business purpose contrary to the provisions of a management plan.</p>	<p>No</p>

Verbatim Comments	Administrative Comment	Refinement Recommended
<p>CLMP is not a development plan. With regard to (2), at no time has the “purpose” of a park lands site been defined by a certain statement in the proposed draft, which litters the whole document, under the 40 park or site references. That statement says: “... providing facilities, furniture and amenities ancillary to park users”. This has never been a fundamental “purpose” for which the Adelaide park lands is held. But in this draft CLMP council’s administration now misguidedly deem it to be the fundamental purpose for which the land is held. Moreover, in future planning and development terms, the wording’s ambiguity will present an alarming opportunity for planners and assessment panels to interpret it, in conjunction with the Planning and Design Code, as they see fit.</p>	<p>City of Adelaide enables a range of business purposes on the Park Lands and is therefore required to reflect this in its CLMP.</p> <p>Development is assessed under the State Government’s state-wide Planning and Design Code (not the CLMP).</p>	
<p>4) In the draft CLMP, the proposed Category “Public facilities, furniture and amenities” features a list of development concepts (as defined under planning law), but makes clear that it is “not limited to” those (which include fencing and car parking). In fact, there appears to be no limit. This is as far as the wording rigour appearing in the Section 10 table goes and, as such, would strongly encourage proponents seeking development approval for a range of park lands projects defined as ‘development’ under the Planning, Infrastructure and Development Act 2016. Such encouragement should be studiously avoided in a CLMP. Remember – it is not a development plan. It is also not a substitute for the Planning and Design Code, but respondents could be forgiven for assuming that it</p>	<p>Noted - Council provides facilities, furniture and amenities in the Parks Lands. The intent of the draft CLMP is to note that these facilities, furniture and amenities are secondary to Park Lands uses.</p> <p>Development is assessed under the State Government’s state-wide Planning and Design Code (not the CLMP).</p>	<p>No</p>

Verbatim Comments	Administrative Comment	Refinement Recommended
<p>is, given the profound changes proposed to the former 2013 CLMP.</p>		
<p>5) The draft suggests that the proposed Category “Public facilities, furniture and amenities” is to be influenced by council’s Asset Management Plans. But these plans arose during the lifetime of previous CLMPs and the plans’ contents were driven and shaped by the rigour of previous CLMP versions. In this draft the new Targets and Measures are proposed to be defined by council guidelines and plans that are not statutory instruments (including the Asset Management Plan itself). Moreover, the management policy is to be driven by administrators in control of those guidelines and plans, whose interpretation can vary markedly over time. Often the variation is ministerially influenced, given that the APL Act 2005 vests all park lands decision-making power in a state minister. This is a proposal that weakens the rigour of a CLMP, draft or otherwise. It is flawed.</p>	<p>Noted - A CLMP sets out Council’s approach to using and managing community land on behalf of the community.</p> <p>Council’s approach to managing community land includes asset service standards as defined in its Asset Management Plans.</p> <p>Since the introduction of a legal requirement to prepare a CLMP, additional changes have occurred including:</p> <ul style="list-style-type: none"> • Requirement for 10-year asset management plans to be prepared by Council (arising from <i>Local Government (Financial Management and Rating) Amendment Act 2005</i>). <p>Asset Management Plans are public documents approved by Council.</p>	<p>No</p>
<p>6) The proposed Section 10 Category “Sporting use (leases and licences)” is to be measured not by the number of leases or (presumably) sub-leases, as well as licences and their collective terms and conditions, but instead a “range and type(s) of sporting groups and reported through lessee and licensee annual reports.” This contrasts long CLMP tradition of referring specifically to the leases themselves, applying to each park or site. This allows a reader of a CLMP to know explicitly what leases already exist for those parks or sites, and sometimes the public access limitations</p>	<p>A CLMP is required to provide information on Council's policies for the granting of leases or licences over any part of the Park Lands; and on any arrangements or restrictions to public use.</p> <p>The draft CLMP works alongside the Community Land Register which includes a record of all leases and licenses.</p> <p>Park specific sections identify where the park is subject to a lease or license.</p>	<p>Yes</p>

Verbatim Comments	Administrative Comment	Refinement Recommended
<p>arising from them. (Note, however, that the draft CLMP proposes to abandon any reference to leases –see footnote 6 in this submission.) Moreover, one implied new proposition in this July 2023 draft (which is actually dated April 2023) is that a reader could instead find out this information by accessing lessee and licensee ‘annual reports’. This is novel and alarmingly naive, and it is suggested that it is in many cases impossible to do, given that many lessees and licensees don’t publish annual reports or at least only publish them for their paid-up members, but in any case rarely reveal lease or licence content in them. The real reason for this peculiar measure is probably because council administrators wish to simply delete specific CLMP references to leases, sub-leases and licences for each park or site (see footnote 6). In the CLMP draft, where specific park or site lease links once existed for sound reasons, they can no longer be found.⁸ This is a major flaw.</p>	<p>A link to the Community Land Register with details of the lease holder and term is provided under Section 3 of the Draft CLMP.</p>	
<p>7) The proposed (and new) Category described as “Small-scale commercial use buildings” suddenly introduces an explicit new built-form concept for the park lands. This is contemplation of future temporary or permanent construction of buildings for “commercial activity” purpose. The wording used is “provision of fit-for-purpose buildings which offer small-scale commercial activities that provide community benefit”. Firstly, this is a very unwise ‘contemplation’ (see discussion of the ‘contemplation’ concept above.) Few respondents to the public consultation will realise that this is a new Category, and council’s administrators</p>	<p>Noted - Use of community land for business purposes is subject to provisions of the <i>Local Government Act 1999</i>. The council cannot approve the use of community land for a business purpose contrary to the provisions of a management plan.</p> <p>City of Adelaide enables a range of business purposes on the Park Lands and is therefore required to reflect this in its CLMP.</p> <p>Development is assessed under the State Government’s state-wide Planning and Design Code (not the CLMP).</p>	<p>No</p>

Verbatim Comments	Administrative Comment	Refinement Recommended
<p>make no effort in highlighting its novelty. Secondly, some respondents will assume that it has always existed, which is false. Thirdly, a CLMP is not a substitute for the Planning and Design Code based on 2016 planning legislation featuring a rezoning mechanism, but this is implied under the new Category of “Small-scale commercial use buildings”. It would certainly be seen to be the case by planners scrutinising the CLMP. This is alarming. Fourthly, “commercial activities” in this draft are not defined. Fifthly, neither is “small scale”. The word ‘kiosk’ is mentioned, but the ambiguity could easily see retail outlets or small ‘pubs or taverns’ or even just ‘bars’ in the park lands encouraged, capitalising on limited liquor licences. Embracing this level of ambiguity in a CLMP is deeply unwise. Several recreation clubs have already constructed ‘club room’ pavilions in recent years, in which such liquor-licensed commercial activity is already practised.</p>		
<p>8) In another proposed outcome, management of the Category “Heritage Landscapes and Features” (page 14) is proposed to have targets defined by “State and Local Heritage Listings”, but these heritage places are not comprehensively explored in the CLMP site annexures, only by reference to a listings link. A link reference to “Cultural Landscape Assessments” appears only in two places (referring to Parks 7 and 8). There is link to these assessments in this Category that appears as a Target (T8.1, page 14) but the link appears in the middle of a sentence without further explanation, and this is highly unlikely to prompt most</p>	<p>Noted - The draft CLMP contains a link to the study referenced: The Adelaide and Park Lands & Squares Cultural Landscape and Assessment Study 2006.</p> <p>Individual links to the study can be included in the Park specific sections of the draft CLMP.</p> <p>To assist with navigation of the Cultural Landscape Assessment, the online document will be bookmarked and links included in Park specific information.</p>	<p>Yes</p>

Verbatim Comments	Administrative Comment	Refinement Recommended
<p>readers to explore it. In previous CLMPs this important reference material appeared in various park or site pages, making it obvious that there was a CLMP management-direction emphasis on the relevance of Cultural Landscape Assessments; that they were core references. But as is further explored below, this draft CLMP has stripped out the emphasis on the relevance of cultural landscape assessment (which includes heritage matters). It was a reference once critical to the whole of the content of previous CLMPs. And there is yet another procedural flaw recommended. The new proposed monitoring measure in regard to ‘heritage landscapes and features’ is a management approach to: “Monitor the number of changes that negatively impact on heritage values through reports to Council as required”[emphasis added; see M8.1, page 14]. The theory is good, but who would be required to produce them? Procedurally, its likely effectiveness for public transparency and accountability would be minimal, given that the council is neither legally required to create such reports, nor to follow up any if they were tabled but ignored. Moreover, it is highly unlikely that reports about ‘negative impact’ would even be publicly revealed by the council, leaving the public in the dark about “negative impact on heritage values”.</p>		
<p>15. CONSULTATION – PROCEDURAL MATTERS (including:)</p> <ul style="list-style-type: none"> • More background as to why council’s approach is flawed • Council’s consultation process 		

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15.1 Breach of the Local Government Act 1999, and the secrecy about legal advice		
<p>This breach was confirmed in the Council Agenda, 9 August 2022, 'Review of Adelaide Park Lands Community Land Management Plan', Item 10.16, which stated: "The review of the existing CLMPs for the Adelaide park lands is beyond the statutory timeframe of five years." That 2022 CLMP draft is similar to the one that has been provided for public consultation 11 months later, in July 2023. That early draft was unwisely approved at a Council meeting on 9 August 2022 and, since then, has been revised again in various iterations while the state government kept introducing new land-use built-form propositions for various policy areas in the park lands zone.</p>	<p>Noted - The <i>Adelaide Park Lands Act 2005</i> requires a review of the CLMP at least once in every five years. The current review is overdue.</p>	<p>No</p>
<p>Legal advice sought by council on 22 June 2022 and 4 July 2022 (no doubt relating to this breach and other matters relating to the content of this draft CLMP) is not provided for public edification during the current consultation, an early sign of a broad range of matters deliberately excluded from the consultation explanatory draft. This is exploitation of a public consultation function. There is no indication in the July 2023 draft that confidentiality orders have been applied to the breach matter, or any other matter, possibly including receipt of legal advice. But if they have been imposed under LG Act 1999 s90 (3) (h) [legal advice] then as a matter of full consultation transparency the public should be provided with, as a minimum, a summary of that information as part of the consultation, if for no other reason than presenting proof that the council's</p>	<p>Noted - The reference to legal advice on 22 June 2022 and 4 July 2022 is unclear. There were no Council meetings on these dates.</p>	<p>No</p>

Verbatim Comments	Administrative Comment	Refinement Recommended
<p>determination to reinterpret the Local Government Act 1999 to give rise to a radically different new CLMP draft has been legally sound. It is critical to satisfy a need by the public to be comprehensively informed under the consultation procedures required by the LG Act 1999. This is especially appropriate in relation to the council's 2022 determination to reinterpret the Local Government Act 1999 and to capitalise on the statutory principles of the Adelaide Park Lands Act 2005 to create what is clearly a radically different draft CLMP compared to the two previous versions.</p>		
<p>15.2 Failure to inform the public of recent April CLMP draft amendments during the July consultation</p>		
<p>Consistent with comments noted above about council administration's failure to present to respondents the current (2013) CLMP for 'compare and contrast' purposes, there is additional evidence that procedural failure has also very recently occurred with respect to a draft CLMP which contained very recent (April 2023) text additions to the draft. Something very similar to the draft as we see it in July appeared in a council agenda only three months ago (April), which is accessible online because it appears in a council agenda which is still accessible on the council website.⁹ In other words, this is an information-rich repository, but the YourSay consultation procedure failed to refer to it. The colour-coded additions and amendments noted at the time were not drawn to respondents' attention, and the current version available during the consultation period has seen removal of all of the colour coding, so late amendments are now invisible. Failure to table the</p>	<p>Noted - The City of Adelaide is seeking comment on the draft CLMP on public consultation.</p>	<p>No</p>

Verbatim Comments	Administrative Comment	Refinement Recommended
<p>colour-coded amendments of April, in July 2023 made it impossible for respondents to perceive the recent draft evolution of the CLMP.</p>		
<p>15.3 Failure to notify the public about related recent new ‘General Provisions’</p>		
<p>No reference in the July 2023 YourSay background information is made to 2021 changes of the CLMP’s ‘General Conditions’. This is a failure of process, because respondents to the public consultation will not know what has occurred relatively recently that has significant relevance to the profound amendments proposed for this CLMP.</p>	<p>Noted - The City of Adelaide is seeking comment on the draft CLMP on public consultation.</p>	<p>No</p>
<p>Given that no existing (2013 version) CLMP is provided for respondents so that they can ‘compare and contrast’ that version with the new draft, respondents will not know that major changes occurred only two years ago to a section of that CLMP with regard to car parking and access rules. Some more alert readers may be struck by the curious absence of individual park site references to these two matters in the new July 2023 draft. Former CLMPs, including the original 2013 version, addressed car parking and access issues in some specific site references, but the references were randomly and inconsistently covered. (Some sites had no parking or access policy. This is almost certainly the reason why the council made the changes in 2021 and emerged with a revised ‘General Conditions’ section.)</p>	<p>Noted - The consultation webpage provided links to the current CLMP and Frequently Asked Questions including the question: ‘Why has Council adopted a ‘one plan’ approach to the CLMP for the Adelaide Park Lands’.</p>	<p>No</p>

Verbatim Comments	Administrative Comment	Refinement Recommended
<p>Under the CLMP’s 2021 revised ‘General Conditions’, amenities include car parks and allowances for random fencing for periods not defined, affecting access. Public reference to the relatively new ‘General Conditions’ (which is part of any park lands CLMP but not mentioned in the 2023 consultation procedure) allows for these in a suitably ambiguous way. Here is selected wording of the ‘General Provisions’ which was added to the 2013 version CLMP in 2021:</p> <ul style="list-style-type: none"> • <u>“Car parking –</u> “Provide car parking on an adjacent to the Park Lands only where there is a demonstrated need and there is no reasonable alternative, consistent with the overall aim of the Adelaide Park Lands Management Strategy to reduce car parking on the Park Lands by 5% by 2025.” • <u>“Access –</u> “Maintain public use and movement through the Park Lands. Access may be temporarily restricted during sporting and other events or as a result of necessary maintenance or works.” <p>The draft CLMP version of July 2023, as presented in this consultation, not only does not mention the CLMP’s recently amended (2021) new ‘Chapter 1’ ‘General Provisions’, but also does not flesh out what the draft CLMP’s new wording “amenities ancillary to park users” means in conjunction with the ‘General Conditions’ wording. That wording is clearly deliberate, and so is the ambiguity about future access and car parking. The absence of related discussion during this July 2023 public consultation evidences a woefully poor</p>	<p>The City of Adelaide is seeking comment on the draft CLMP on public consultation. The one-plan approach replaces all but the CLMP for Adelaide Oval.</p>	<p>No</p>

Verbatim Comments	Administrative Comment	Refinement Recommended
<p>management of public city council consultation procedure.</p> <p>The city council has also failed to put this proposal into broader context in regard to 2021 changes in which a new 'Chapter 1' replaced the former 'Framework' of the 2013 CLMP version and 'General Provisions' appeared. No mention appears in this 2023 draft CLMP consultation, but it is critical for respondents to be informed of this detail, because the 'General Provisions' form part of the whole of the CLMP proposed to be the statutory management direction policy instrument for the coming years. The background is that council in 2021 sliced off a part of the 2013 CLMP and updated just that part. No mention of this fundamental change made only two years previously appears in the current July 2023 consultation package. But the changes that the revised 'General Provisions' delivered affect the whole of the content of the current draft version, especially in terms of land-use contemplations regarding the often controversial car parking and access issues. A detailed retrospective analysis written by the author of this submission appears in Appendix 2 of this submission.</p> <p>This critique will no doubt elicit a defence by council's administration that the land-use matters have already been addressed and are now 'of the past', but few respondents will know that. In fact, some respondents to this July 2023 consultation may have not participated in that early 2021 consultation phase because it was not brought to their attention. It is again not being brought to their attention now either, but it should be.</p>		

Verbatim Comments	Administrative Comment	Refinement Recommended
<p>Access and car parking contemplations are critical – and often controversial – components of any CLMP. This draft CLMP is no exception.</p> <p>In summary, the critical question that is not addressed is: ‘why has all reference to car parking and access disappeared from individual site pages in the proposed draft?’</p>		
<p>15.4 Failure of due process (future CLMP amendment and public consultation) with respect to anticipated future government initiatives</p>		
<p>There are several sections of this April 2023 draft that indicate that the state government intends to take control of sections of the park lands zone for development purposes, and therefore assume that the sites’ tenure (registered proprietorship) of that land will occur through land-acquisition legislation or through city council agreement (commonly under duress). This would mean that the CLMP applying to that land would suddenly cease to have lawful management direction influence. One site is Frome Park (Frome Road, park lands zone). Sections in the April 2023 draft contain statements which imply that when the government chooses the timing, the CLMP will simply and automatically cease to have relevance in those places, without the lawfully required public notification of ‘change of CLMP content’ and statutory applied notice and public consultation period of 21 days. This is a cavalier proposition indifferent to due legal process, and would be unacceptable. No previous CLMP for the park lands proposed that amendments to it at some future time would be simply processed at the whim of state</p>	<p>Noted - The draft CLMP reflects current proposals for the management of land.</p> <p>The State Government has enacted processes for transfer of parts of Frome Park and Council has made the decision in relation to the land transfer. The draft CLMP reflects the decision.</p>	<p>No</p>

Verbatim Comments	Administrative Comment	Refinement Recommended
<p>government ministerial discretion using a land tenure transfer procedure as the trigger mechanism to amend the content of a CLMP, at any future time, without following the necessary steps required under the Local Government Act 1999.</p> <p>For example, with respect to Frome Park, the draft CLMP states “The State Government is currently expanding the Adelaide Botanic High School immediately south of the existing [sic] shown in Figure 13”.¹⁰ The critical subsequent clause is set in bold) in this extract (same page):</p> <p>“A11.4 Purpose for which the land is held</p> <p>“In addition to the overall purpose for which the Adelaide Park Lands are held (as outlined in Section 5), the land is held for the purposes of:</p> <ul style="list-style-type: none"> • Providing for general and informal recreation for community enjoyment, landscaped in a manner compatible with the adjacent Botanic Gardens and Botanic Park as set out in the Deed of Land Grant when the land was returned to Council by the State Government in 1990. • Providing a venue for temporary events. • Providing facilities, furniture and amenities ancillary to park uses. <p>The piece of land to be transferred to the State Government will be used for educational purposes. Once transferred the land will no longer be subject to this CLMP.”</p>		

Verbatim Comments	Administrative Comment	Refinement Recommended
<p>16. OTHER CONTENT FLAWS</p> <p>a) General</p> <p>b) Park/site-specific flaws</p>		
<p>a) General</p>		
<p>The proposed contents of this draft CLMP illustrate that its author(s) do not understand how critical is a properly crafted CLMP in its role to guiding management directions of the Adelaide park lands.</p> <p>Those in charge of this July 2023 CLMP public consultation fail to make clear to respondents that the management Category Table 1 “Small-scale commercial use buildings” concept is a new Category. They also fail to advise that its specific reference to “commercial use” is not consistent with Strategy 1.4 of the Adelaide Park Lands Management Strategy 2015–2025, which is currently in operational use. That Strategy talks only of “activation of the park lands by upgrading and enhancing buildings and structures responsive to their park setting” (page19 of the January 2018 version). But there is no explicit reference in that document to initiating approvals to construct future “small-scale commercial use buildings” and it is therefore at odds with the legislation the Adelaide Park Lands Act 2005, which prescribes the content of the APLMS as a statutory policy. Moreover, the recommended April 2023 draft CLMP “measure” to monitor this novel Category is a limp “as reported every five years”. That is more than one full council term! The</p>	<p>Noted - The City of Adelaide is seeking comment on the draft CLMP on public consultation.</p> <p>Use of community land for business purposes is subject to provisions of the <i>Local Government Act 1999</i>. The council cannot approve the use of community land for a business purpose contrary to the provisions of a management plan.</p> <p>City of Adelaide enables a range of business purposes on the Park Lands and is therefore required to reflect this in its CLMP.</p> <p>The intent of the draft CLMP is to be clear the scale of commercial use buildings is small.</p>	<p>No</p>

Verbatim Comments	Administrative Comment	Refinement Recommended
<p>measure is meaningless. But few respondents will comprehend how meaningless it is, and there is no YourSay discussion about it. This is yet another failure of due process required in a public consultation.</p>		
<p>b) Park/site-specific content flaws</p>		
<p>1. All parks/sites: The words “Providing facilities, furniture and amenities ancillary to park uses” appears on page references to each park or site (totalling 40) as the ‘Purpose for which the land is held’. Discussion above addresses the vexed (and flawed) issue of council’s ‘deriving’ park lands’ purpose from the statutory principles of the APL Act 2005. It does not follow that creating “facilities ... and amenities ancillary to park uses” is the purpose of the Adelaide park lands. The statutory principles do not say that. The Adelaide Park Lands Act 2005 does not say that.</p>	<p>Noted - Council provides facilities, furniture and amenities in the Parks Lands. The intent of the draft CLMP is to note that these facilities, furniture and amenities are secondary to Park Lands uses.</p>	<p>No</p>
<p>2. Multiple other parks/sites: There are many statements in the draft CLMP stating “Protecting the key Biodiversity Area in this park”, but a general link, which is not-site-specific, only appears earlier in the plan (at Section 10). If there is a specific Biodiversity Area in any given park or site, it ought be explicitly identified in a CLMP, on that park or site page reference. Policy makers and planners must have specific and timely access to such information when reading a CLMP, otherwise they cannot be certain that a future land-use proposal (including a lease proposition) might face an impediment to an ‘in-principle’ approval on the basis of a special biodiversity</p>	<p>The draft CLMP provides park specific context and static maps with key features for each Park. Administration will explore the ability to convert static maps to the online mapping tool (Community Land Register).</p>	<p>Yes, online maps pending technical review</p>

Verbatim Comments	Administrative Comment	Refinement Recommended
<p>area. Explicit and timely objectives also may not be possible, given that, at Section 10, the ‘measurement’ mechanism is proposed to be satisfied via “quarterly internal reports”. Long experience with this council, and its subsidiary APLA, suggests that internal reports are not necessarily always published, especially if they contain information unflattering to the park lands City of Adelaide custodian. It is clumsy and unfriendly in information management terms that a key statutory policy document such as a CLMP ought to put a reader into a position of having to seek release of internal reports. This council has a long-established obsession with secrecy and obfuscation when it comes to releasing documentation relating to its park lands management. Analysis of APLA, Committee or Council agendas over many years suggests that regular and detailed public release of internal reports is highly improbable. Moreover, a CLMP must provide links, and these links should allow immediate access the critical information. This includes timely information. There appears to be no procedure proposed to address this. It is a flaw in the CLMP drafting.</p>		
<p>3. Park 2: (Noting again the point made earlier in this submission, that this CLMP version is in breach of section 19 of the Adelaide Park Lands Act 2005 because it is not consistent with Park 2’s provisions as documented in the Adelaide Park Lands Management Strategy 2015–25).¹¹ Many readers of this draft CLMP will not comprehend the import of the draft content for Park 2 that is attempting to enable this breach (as reproduced in this submission in Appendix 1). They</p>	<p>Under the <i>Local Government Act 1999</i>, a management plan should (as far as practicable) be consistent with other relevant official plans and policies about conservation, development and use of the land. In the event of an inconsistency an official plan or policy under another Act prevails to the extent of the inconsistency.</p> <p>The Adelaide Park Lands Management Strategy 2015-25 talks to continuing to enhance the Adelaide Aquatic Centre to meet community expectations; and optimising</p>	<p>No</p>

Verbatim Comments	Administrative Comment	Refinement Recommended
<p>also are unlikely to comprehend that planner-code wording is being used to contemplate future use of this park. The Objective for Park 2 reads: “To provide facilities for indoor aquatic, fitness and allied health and ancillary uses.” The latter three words are planner code for any use related to aquatic facilities and amenities at the site, now or in the future. Historically, this wording has been used at other park lands sites to justify enabling planning permission for other activities never previously contemplated. For example, such wording was used to justify constructing a \$42m hotel attached to the Adelaide oval stadium, or permission to allow car parking adjacent to the stadium in park lands (Oval No 2 and north park lands adjacent to Pennington Terrace) for collection of related revenues by the Adelaide Oval Stadium Management Authority. The word ‘ancillary’ was the planning jargon key to achieve these objectives. It spoke ‘the right language’ to assessors. Council managers of consultation about this CLMP, and this specific site, ought to have provided the Planning and Design Code wording as determined by Plan SA recently, applying to the sub-zone in which the Park 2 development is proposed. The Park 2 Planning and Design Code amendments that were concluded and formally adopted in March 2023 referred to clubs, a gym and shops. An earlier February 2023 analysis by the council noted that one Code amendment aimed to “Introduce additional ancillary land uses such as consulting rooms and offices within the [Park 2] sub-zone.”¹² Additionally, the associated CLMP proposed measure is stated as “user satisfaction”. If a commercial body (or the state government) were able to occupy the</p>	<p>the role of the Aquatic Centre as a state-wide sporting destination.</p> <p>State Government has undertaken a Code Amendment under the <i>Planning, Development and Infrastructure Act 2016</i>, in relation to Park 2 which sets policies for development of the land.</p>	

Verbatim Comments	Administrative Comment	Refinement Recommended
<p>site and gain revenue from multi-storey occupation of a park lands built-form site under a lease with a peppercorn rent of \$2000 per annum (as is the current proposal), no doubt 'user satisfaction' would follow! But obviously the 'user satisfaction' criterion is meaningless. If the CLMP is adopted, this would be a significant CLMP procedural flaw. The absence of YourSay discussion about this is clearly a consultation procedural flaw.</p>		
<p>4. Parks 3 and 4: Curiously, for these two parks, the wording "There are no park-specific objectives, targets and measures" appears (see A 3.5), despite the fact that under s196 (3) (d) of the LG Act 1999 requires these to exist and be explicitly stated for all parks and sites in the Adelaide Park Lands Plan with exception to those parks and sites not subject to a CLMP (state government tenure). Moreover, as noted above in detail, some of the proposed objectives, targets and measures appearing in section 10 are in places ambiguous and require substantial clarification.</p>	<p>The draft CLMP identifies a series of Park Land wide objectives, targets and measures which apply to all Parks. These objectives, targets and measure apply to Parks 3 and 4.</p> <p>Where objectives, targets and measures are specific to Parks they are included in the Park specific sections of the draft CLMP.</p>	<p>No</p>
<p>5. Parks 9 and 10: Park 9 has recently seen completion of a development project (a new sports pavilion) for the leaseholder (Prince Alfred College), and access restrictions are noted "in the sporting fields/licence areas" on the draft CLMP page. However, no link or explanatory material is provided, so that readers of the future CLMP cannot know of or be in a position to fully comprehend the explicit restrictions. A link must take the reader to the contents of the lease and sub-lease(s) for this Park. Park 10 features</p>	<p>Park 9 is subject to a lease.</p> <p>A CLMP is required to provide information on Council's policies for the granting of leases or licences over any part of the Park Lands; and on any arrangements or restrictions to public use.</p> <p>The draft CLMP works alongside the Community Land Register which includes a record of all leases and licenses.</p>	<p>No</p>

Verbatim Comments	Administrative Comment	Refinement Recommended
<p>University of Adelaide clubrooms. Previous CLMPs provided links to lease details, but this draft does not. It is poor practice that the park lands 'custodian' allows a lease holder that has control over access to avoid providing explicit details of those restrictions. The CLMP is the place to do it. This draft fails that test.</p>	<p>A link to the Community Land Register with details of the lease holder and term is provided in each Park specific section.</p>	
<p>6. Park 11 onwards: From reference to Park 11 and onwards, statements in the draft CLMP begin to appear directing the reader to the 11 Objectives, Targets and Measures that appear at "Section 10" earlier in the draft. However, this is not user friendly, and the result is that the reader has to suddenly jump back to an earlier section of the report and scour 11 Categories for hints as to what related links may or may not apply. Despite evidence of links at Section 10 (with the same links repeated again and again in that section) there are not many links provided in total. The most repeated link is to the Asset Management Plan for the Park Lands and Open Space. However, this major policy document is only occasionally updated by the council and it is likely that the Plan has not been recently refreshed (the Plan does not make this clear). The suggestion is that the writer of this draft CLMP either doesn't know this, or endorses an approach that sees a reader accessing dated material and having to wait some time until it is further updated. (The original plan is dated 2015, but there is no clear online indication of updated material, or when it was last updated.) Moreover, suggested other links to documents such as 'condition audits', 'customer satisfaction surveys', 'customer request data', 'reports to council as required', and 'regular</p>	<p>The park specific sections of the draft CLMP state where the overarching objectives, targets and measures contained earlier in the document apply. There is no link provided back to the early section of the document.</p> <p>The draft CLMP park specific sections will be updated to provide a link to the overarching objectives, targets and measures contained earlier in the document.</p>	<p>Yes</p>

Verbatim Comments	Administrative Comment	Refinement Recommended
<p>condition inspections and audits’ illustrates a naïve perception of the reality of the council’s poor transparency culture. In the opinion of the author of this submission, based on 24 years as a ratepayer and researcher into park lands matters, very few of these documents are ever published by council. Moreover, should the contents of such documents embarrass the council, a confidentiality order is commonly put into place to keep it from the public domain. A reader of the CLMP can have no optimism that they will be able to access up-to-date and accurate information at the click of a mouse when contemplating the future of a park lands zone site in this CLMP. For this draft to be operationally effective, the council would have to resolve fresh policy that guarantees public access to all of the documentation noted above. A commitment to this must be made in writing in the draft.</p>		
<p>7. Frome Park: The stated “Purpose for which the land is held” is ambiguous with respect to land adjacent to (south of) the Adelaide Botanic High School, managed in planning terms by a Concept Plan that had statutory effect until very recently. Under major sub-zone rezoning recently (December 2021; brought into operation in January 2022) the Planning and Design Code now allows construction of an expansion of the school onto land within the boundaries of that concept plan, south of the existing school building. A tenure transfer by council to the state was approved by council in October 2022, but appears not to have been progressed at July 2023. While construction of an extension of the school into the sub-zone is already</p>	<p>The draft CLMP reflects current proposals for the management of land.</p> <p>The State Government has enacted processes for transfer of parts of Frome Park and Council has made the decision in relation to the land transfer. The draft CLMP reflects the decision.</p>	<p>No</p>

Verbatim Comments	Administrative Comment	Refinement Recommended
<p>occurring, the site is already fenced off, and not accessible to park lands users. This licensed 'works' construction land parcel will remain subject to the CLMP until the state government thinks fit, and this is stated in the draft CLMP in this section. The notion that any state government can at whim trigger the removal of land subject to a CLMP from future CLMP reference is novel, and contradictory to Local Government Act 1999 provisions that require express, advanced public notification. It is not apparent in this consultation that this is so; it is simply buried in the content of the draft. Moreover, there is no specifically highlighted amendment of the CLMP, ie, before and after text wording. Respondents cannot comprehend the change in wording, because the former 2013 CLMP – the one that is current – has not been provided during this public consultation.</p>		
<p>8. Park 12 onwards: From Park 12 onwards, multiple CLMP references to leases and licences for sporting fields, rowing sheds and commercial hospitality offerings are not accompanied by links. But taxpayers, city ratepayers, policy makers and planners must have specific and timely access to such information when accessing a CLMP, otherwise they cannot be certain that they can freely access a park lands site, or (in the case of planners) whether a future land-use proposal might face an impediment to 'in-principle' approval because of CLMP 'contemplations' that resist it. The need to provide explicit links to lease particulars also applies to all subsequent park lands sites in the CLMP. It is no use making statements such as "Restrictions</p>	<p>The park specific sections of the draft CLMP state where the overarching objectives, targets and measures contained earlier in the document apply. There is no link provided back to the early section of the document.</p> <p>The draft CLMP park specific sections will be updated to provide a link to the overarching objectives, targets and measures contained earlier in the document.</p>	<p>Yes</p>

Verbatim Comments	Administrative Comment	Refinement Recommended
<p>apply during programmed sporting times for the club rooms' leaseholders in the sporting fields/licence areas" if a reader cannot access the explicit restriction information. A random visit to such links sites will quickly illustrate how few licence or leaseholders show any commitment to advising visitors about the restrictions. Telepathy appears to be the chosen mechanism. But it should never be the administrative mechanism in a CLMP! Detailed and explicit links once existed in former CLMPs. They should exist in this draft, and every future CLMP.</p>		
<p>9. Park 16: The motor sport racing event returned in late 2022. A more detailed link relating to the 'declared period' under the motor sport legislation must be provided under page reference 'A16.7', given the long period in which it applies, whose perimeter fencing restricts access to many hectares of this park lands site for up to six months.</p>	<p>The draft CLMP notes motor sport racing was re-introduced in 2022.</p> <p>The declared area and period for the motor sport event changes annually.</p>	<p>No</p>
<p>10. Park 20: That notoriously ambiguous planning term 'ancillary facilities' emerges in relation to this park under the 'Purpose for which the land is held' statement. It should be removed, given (as noted earlier in this submission) its planner-code potential for future undefined facilities. It means nothing to amateur readers, but it has practical and legal meaning for planners who work for adjacent property holders (such as schools) and state policy bureaucrats.</p>	<p>Council provides facilities, furniture and amenities in the Parks Lands. The intent of the draft CLMP is to note that these facilities, furniture and amenities are secondary to Park Lands uses.</p>	<p>No</p>

Verbatim Comments	Administrative Comment	Refinement Recommended
<p>11. Park 25: Lease holder SACA in late August 2022 received city council permission to erect shade shelters on land in this park that does not comprise land identified in SACA’s lease. This is a good example of the use of wording in the CLMP that would allow such things: “providing facilities, furniture and amenities ancillary to park users”. If this ambiguous wording is retained in the final CLMP for Park 25 it will be used to justify such development (and any future development) in planning terms that, until the SACA request, was never contemplated in a former CLMP. In fact, the clause should be removed from the CLMP for all parks or sites. Other matter: Leaseholders? In terms of Management Proposals, there is more than one leaseholder occupying this park. Is the draft CLMP reference accurate?</p>	<p>Council provides facilities, furniture and amenities in the Parks Lands. The intent of the draft CLMP is to note that these facilities, furniture and amenities are secondary to Park Lands uses.</p> <p>Park 25 is subject to a lease.</p> <p>A CLMP is required to provide information on Council's policies for the granting of leases or licences over any part of the Park Lands; and on any arrangements or restrictions to public use.</p> <p>A link to the Community Land Register with details of the lease holder is provided.</p>	<p>No</p>
<p>12. Park 27 B (Mary Lee Park): The draft CLMP ‘Management proposal’ for the Park Terrace Community Garden states that “fencing will be provided” and that “public access to the fenced community garden may be limited”. This is highly ambiguous. Moreover, it illustrates the egregious consequences of the 2021 creation of new wording to the ‘General Provisions’ section that is a preface to this CLMP (none of which is discussed in this draft but ought to have been). The 2021 amended wording read: “Access. “Maintain public use and movement through the Park Lands. Access may be temporarily restricted during sporting and other events or as a result of necessary maintenance or works.” Here is provided evidence of ambiguity piling on to ambiguity. Under the</p>	<p>Mary Lee Park provides a community garden. The intent of the CLMP is to provide an ability for the community garden to exist and limit broad community access if required.</p>	<p>No</p>

Verbatim Comments	Administrative Comment	Refinement Recommended
General Provisions, the restriction to access is for a time period unspecified. This gives rise to a CLMP 'contemplation' regarding this park that is as clear as mud.		
APPENDICES WITH ORIGINAL SUBMISSION		

6 AUGUST 2023 (LATE SUBMISSION)

Verbatim Comments	Administrative Comment	Refinement Recommended
This submission comments on the recommendations of a draft Heritage Management Plan (HMP) commissioned by the city council with consultants Swanbury Penglase, received in February 2023, and circulated by the city council in March 2023 for public comment.	Noted	No
The draft CLMP is flawed because there has been inadequate attention paid during its drafting with respect to that HMP; in particular, the proper alignment between the HMP's recommendations and the draft CLMP, regarding the following matters identified in that HMP. They include the following 5 points listed below.	<p>The Draft National Heritage Management Plan has not been endorsed by Council.</p> <p>Should inconsistencies arise between the National Heritage Management Plan (if endorsed by Council) and the CLMP, as per Section 196(6) of the <i>Local Government Act 1999</i>, the Draft National Heritage Management Plan would prevail over the CLMP.</p> <p><i>"In the event of an inconsistency between the provisions of an official plan or policy under another Act and the provisions of a management plan under this Act, the provisions of the official plan or policy prevail to the extent of the inconsistency event".</i> Therefore,</p>	No

Verbatim Comments	Administrative Comment	Refinement Recommended
<p>1. Review the Park Lands CLMPs and all other master plan documents to ensure that the heritage value of the natural topography is described.</p> <p>Comment: In the draft CLMP there is no heritage value of the natural topography described.</p>	<p>The CLMP should reflect and refer to endorsed policy and management plans. If the Draft National Heritage Management Plan is endorsed by Council, amendments may be required to the CLMP.</p> <p>If future amendments are required to the CLMP, Council will undertake consultation on amendments in accordance with the <i>Local Government Act 1999</i> and the <i>Adelaide Park Lands Act 2005</i>.</p>	<p>No</p>
<p>2. Ensure that master plans and other strategic documents for the City Squares contain objectives for strengthening their rectilinear form and allow for the return of land removed by dissecting roads.</p> <p>Comment: In the draft CLMP not only is there minimal reference to existing park lands master plans (some are simply not mentioned at all), but also the CLMP does not contain objectives for strengthening their rectilinear form to allow for the return of land removed by dissecting roads.</p>	<p>Master Plans for the Park Lands are referred to in the CLMP, i.e preparation of a Master Plan for Victoria Park/ Pakapakanthi (Park 16).</p> <p>The implementation of Master Plans and the identification of future Master Planning for the City Squares where there is an opportunity for strengthening their rectilinear form and allow for the return of land removed by dissecting roads are more closely aligned to the Adelaide Park Lands Management Strategy.</p>	<p>No</p>
<p>3. Review the Adelaide Park Lands CLMP to recognise the cultural significance of the nineteenth century spatial designs where these are represented in the Park Lands. Future revegetation zones should be planned to conserve the integrity of the spatial design and aesthetic intent.</p> <p>Comment: In the draft CLMP there is no recognition of the cultural significance of the nineteenth century spatial designs where these are represented in the Park Lands.</p>	<p>The CLMP should reflect and refer to endorsed policy and management plans. If the Draft National Heritage Management Plan is endorsed by Council, amendments may be required to the CLMP.</p> <p>If future amendments are required to the CLMP, Council will undertake consultation on amendments in accordance with the <i>Local Government Act 1999</i> and the <i>Adelaide Park Lands Act 2005</i>.</p>	<p>No</p>
<p>4. Review the Adelaide Park Lands Community Land Management Plan for the Park Lands and City</p>	<p>The CLMP should reflect and refer to endorsed policy and management plans. If the Draft National Heritage</p>	

Verbatim Comments	Administrative Comment	Refinement Recommended
<p>Squares for concurrence with this Heritage Management Plan.</p> <p>In the draft CLMP there is no concurrence with this Heritage Management Plan.</p>	<p>Management Plan is endorsed by Council, amendments may be required to the CLMP.</p> <p>If future amendments are required to the CLMP, Council will undertake consultation on amendments in accordance with the <i>Local Government Act 1999</i> and the <i>Adelaide Park Lands Act 2005</i>.</p>	
<p>5. Integrate the heritage management guidelines into future CLMPs, lease and licensing agreement, maintenance service contracts, and other management documents.</p> <p>In the draft CLMP there is no integration of the heritage management guidelines with this draft CLMP, which the original text obviously referred to as a “future CLMP”; there is also no integration with any park lands lease and licensing agreement; and no reference to any maintenance service contracts.</p>	<p>The CLMP should reflect and refer to endorsed policy and management plans. If the Draft National Heritage Management Plan is endorsed by Council, amendments may be required to the CLMP.</p> <p>If future amendments are required to the CLMP, Council will undertake consultation on amendments in accordance with the <i>Local Government Act 1999</i> and the <i>Adelaide Park Lands Act 2005</i>.</p> <p>Lease and License agreements for the Park Lands are provided through Council’s online Community Land Register Web Map.</p>	No
<p>Administrators might respond by claiming that when this draft HMP is finalised, the CLMP can be simply amended and updated without public notification and consultation. However, such ad hoc updating is not consistent with the requirements of the <i>Local Government Act 1999</i>, the statute that defines and prescribes CLMP matters. A full and fresh public consultation procedure would be required, with extensive advisory text included relating to the important policy links between a HMP and a CLMP.</p>	<p>If future amendments are required to the CLMP, Council will undertake consultation on amendments in accordance with the <i>Local Government Act 1999</i> and the <i>Adelaide Park Lands Act 2005</i>.</p>	No
<p>The obvious point is that, consistent with the {<i>name redacted</i>} submission #1 (dated 30 July</p>	<p>Noted - Refinements to the draft CLMP are proposed in response to the consultation and comments seeking to ensure effectiveness and clarity of policy in the CLMP.</p>	Yes, refer to specific policy refinements.

Verbatim Comments	Administrative Comment	Refinement Recommended
2023) the draft CLMP as circulated at this time is not yet fit for purpose. As concludes in that submission, there are compelling reasons to reject the draft.		